

# FEDERAL REGISTER

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Washington, Tuesday, January 7, 1947

## TITLE 7—AGRICULTURE

### Chapter IV—Production and Marketing Administration (Crop Insurance)

[Amdt. 1]

#### PART 417—TOBACCO CROP INSURANCE

SUBPART—1947.

Section 417.109 of the 1947 Tobacco Crop Insurance Regulations (11 F. R. 13570) is hereby amended to read:

§ 417.109 *Causes of loss insured against.* The insurance contract shall cover loss of tobacco due to unavoidable causes, including drought, flood, hail, wind, frost, winter-kill, lightning, fire, excessive rain, snow, wildlife, hurricane, tornado, insect infestation, plant disease, pole burn, and such other unavoidable causes as may be determined by the Board of Directors of the Corporation. All of the above-mentioned causes of loss will be insured against throughout the insurance period in all counties in which tobacco crop insurance is offered notwithstanding any provision to the contrary with respect to particular counties contained in the "application for Tobacco Crop Insurance for 1947." (Secs. 506 (e), 507 (c), 508, 509, 516 (b) 52 Stat. 73, as amended; 7 U. S. C. 1506 (e), 1507 (c), 1508, 1509, 1516 (b))

Adopted by the Board of Directors on December 18, 1946.

[SEAL]      E. D. BERKAW,  
Secretary, Federal Crop  
Insurance Corporation.

Approved: December 31, 1946.

CLINTON P. ANDERSON,  
Secretary of Agriculture.

[F. R. Doc. 47-116; Filed, Jan. 6, 1947;  
8:47 a. m.]

### Chapter IX—Production and Marketing Administration (Marketing Agreements and Orders)

#### PART 961—MILK IN THE PHILADELPHIA, PENNSYLVANIA, MARKETING AREA

##### ORDER SUSPENDING CERTAIN PROVISIONS

Pursuant to the applicable provisions of Public Act No. 10, 73d Congress, as amended, and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C.

601 et seq.) hereinafter referred to as the "act," and of the order, as amended, regulating the handling of milk in the Philadelphia, Pennsylvania, marketing area, hereinafter referred to as the "order," it is hereby found and determined that the following provision of such order does not tend to effectuate the declared policy of the act: the words "the last ten market days of" contained in the first proviso of subparagraph (a) (1) of § 961.4.

It is hereby further found and determined that compliance with the notice, public rule making procedure, and effective date requirements of the Administrative Procedure Act (Pub. Law 404, 79th Cong., 60 Stat. 237) in connection with the issuance hereof is impracticable, unnecessary, and contrary to the public interest, in that (1) the information upon which this action is based did not become available in sufficient time for such compliance; and (2) the issuance of this suspension order effective January 1, 1947, is necessary to the effectuation of the declared policy of the Agricultural Marketing Agreement Act of 1937, as amended.

It is therefore ordered, That the following provision of the order be and it hereby is suspended effective 12:01 a. m., e. s. t., January 1, 1947: the words "the last ten market days of" contained in the first proviso of subparagraph (a) (1) of § 961.4.

(48 Stat. 31, 670, 675; 49 Stat. 750; 50 Stat. 246; 7 U. S. C. 601 et seq.)

Done at Washington, D. C., this 31st day of December 1946.

[SEAL]      CLINTON P. ANDERSON,  
Secretary of Agriculture.

[F. R. Doc. 47-117; Filed, Jan. 6, 1947;  
8:47 a. m.]

## TITLE 10—ARMY- WAR DEPARTMENT

### Chapter V—Military Reservations and National Cemeteries

#### PART 501—LIST OF EXECUTIVE ORDERS, PROCLAMATIONS, AND PUBLIC LAND ORDERS AFFECTING MILITARY RESERVATIONS SAND ISLAND, HAWAII

CROSS REFERENCE: For transfer from the War Department to the Treasury

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## NOTICE

*General notices of proposed rule making, published pursuant to section 4 (a) of the Administrative Procedure Act (Pub. Law 404, 79th Cong., 60 Stat. 238), which were carried under "Notices" prior to January 1, 1947 are now presented in a new section entitled "Proposed Rule Making" Relationship of these documents to material in the Code of Federal Regulations, formerly shown by cross reference under the appropriate Title, is now indicated by a bold-face citation in brackets at the head of each document.*

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Department of certain land reserved for military purposes by Executive Order 3358, see Public Land Order 335, Title 43, Chapter I, *infra*.

**TITLE 12—BANKS AND BANKING****Chapter II—Federal Reserve System**

Subchapter A—Board of Governors of the Federal Reserve System

**PART 222—CONSUMER CREDIT****PRESERVATION OF RECORDS**

The following interpretation under this part (11 F. R. 13949) relating to Consumer Credit was issued by the Board of Governors of the Federal Reserve System on December 23, 1946:

§ 222.108 *Preservation of records.* Advice has been requested of the Board of Governors regarding the preservation of records under § 222.8 (a). Specifically, it was asked whether the "Statement of the Borrower" required under § 222.4 (d) need be preserved after a credit has been revised in accordance with the Part.

Briefly, § 222.8 (a) requires a registrant to preserve relevant documents for the "life of the obligation to which they relate." This, of course, includes the "Statement of the Borrower"

The Board's view is that "the obligation" as that term is used in § 222.8 (a), means the original obligation with respect to which the statement was procured, and, therefore, does not require the preservation of the statement executed in connection with any such original obligation after a new obligation has arisen by virtue of a revision of the old credit.

(Sec. 5 (b) 40 Stat. 415, as amended by sec. 5, 40 Stat. 966; sec. 2, 48 Stat. 1, sec. 1, 54 Stat. 179; secs. 301 and 302, 55 Stat. 839, 840; 12 U. S. C. 95 (a) and Supp., 50 U. S. C. App. 616, 617; E. O. 8843, Aug. 9, 1941, 3 CFR Cum. Supp.)

[SEAL] BOARD OF GOVERNORS OF THE  
FEDERAL RESERVE SYSTEM,  
MERRITT SHERMAN,  
Assistant Secretary.

[F. R. Doc. 47-109; Filed, Jan. 6, 1947;  
8:46 a. m.]

**TITLE 14—CIVIL AVIATION****Chapter II—Administrator of Civil Aeronautics****PART 651—PROCEDURE OF THE CIVIL AERONAUTICS ADMINISTRATION****MEDICAL CERTIFICATES**

Acting pursuant to the authority vested in me by the Civil Aeronautics Act of 1938, as amended (52 Stat. 938-1008; 49 U. S. C. 458, 552) and in accordance with the Administrative Procedure Act (Public Law 404, 79th Congress, 2d session) I hereby amend Part 651 (11 F. R. 177A-322) of the procedure of the Civil Aeronautics Administration as follows:

1. By amending § 651.33 (c) to read as follows:

§ 651.33 *Medical certificates.* \* \* \*

(c) *Third class.* A third class medical certificate includes, students and private pilots and free balloon pilots. This examination is conducted by a designated medical examiner or a competent licensed physician. If the examination is performed by a non-designated physician, the report of the examination is made on Form ACA 1345 and forwarded to the regional medical officer of the regional office having jurisdiction over the area in which such physician resides.

(52 Stat. 986-1008; 49 U. S. C. 458, 552)

[SEAL] T. P. WRIGHT,  
Administrator of Civil Aeronautics.

DECEMBER 31, 1946.

[F. R. Doc. 47-130; Filed, Jan. 6, 1947;  
8:50 a. m.]

**TITLE 15—COMMERCE****Subtitle A—Office of the Secretary of Commerce****PART 5—PAYMENTS TO PARTICIPANTS IN THE TRAINING PROGRAM OF THE UNITED STATES COAST AND GEODETIC SURVEY UNDER THE PHILIPPINE REHABILITATION ACT OF 1946****Sec.**

5.1 Statement of program.

5.2 Purpose and scope of program.

5.3 Applicability of existing regulations.

5.4 Type of appointment.

5.5 Compensation.

5.6 Travel grants to Philippine-trainees.

5.7 Maintenance allowances to Philippine-trainees.

5.8 Survey vessel and ship employees.

5.9 Additional authorization.

5.10 Insurance or medical services.

**Sec.**

5.11 Clothing.

5.12 General conditions of employment.

**AUTHORITY:** §§ 5.1 to 5.12, inclusive, issued under R. S. 161, secs. 301, 310, 311, Pub. Law 370, 79th Cong.; Pub. Law 521, 79th Cong.

§ 5.1 *Statement of program.* The Coast and Geodetic Survey is authorized to continue survey work in the Philippines, and to detail qualified personnel of the Bureau to instruct and train not exceeding twenty citizens of the Republic of the Philippines each year prior to July 1, 1950. These citizens shall be designated by the President of the Republic of the Philippines in accordance with standards established by the Director of the Coast and Geodetic Survey.

§ 5.2 *Purpose and scope of program.*

The objectives of the Coast and Geodetic Survey are (a) to provide trained personnel of the Bureau to conduct and supervise surveying, mapping, and charting operations in the Philippine Islands and (b) to train citizens of the Republic of the Philippines in the efficient conduct of Coast and Geodetic Survey activities.

§ 5.3 *Applicability of existing regulations.* The provisions of the Code of Federal Regulations of the United States of America, Title 15, Commerce Subtitle A—Office of the Secretary of Commerce,

Part 4 (15 CFR 1944 Supp. 1691), and Department of State regulations (22 CFR 1944 Supp. 28.1-28.12; as amended, 11 F. R. 6904), are hereby made effective to govern payments to and in behalf of persons employed and receiving instruction or training in accordance with the provisions of the Philippine Rehabilitation Act of 1946, insofar as said regulations may be found applicable.

§ 5.4 *Type of appointment.* Persons selected for employment and training under this program shall be given excepted appointments in the Coast and Geodetic Survey. These appointments shall be limited to July 1, 1950. The title of the position shall be, "Philippine-trainee."

§ 5.5 *Compensation.* The Director of the Coast and Geodetic Survey shall determine the amount of salary or compensation to be paid Philippine-trainees under this program, and such salary or compensation may vary with the location of the assignment or other working conditions.

§ 5.6 *Travel grants to Philippine-trainees.* Each applicant selected for training in the United States will also receive first-class round trip transportation to the United States and return and the following allowances:

(a) A per diem of not more than \$3.50 during the boat travel, or not more than \$7.00 per diem during land or air travel, to or from the United States.

(b) Transportation in the United States performed in connection with their assignments and training.

§ 5.7 *Maintenance allowances to Philippine-trainees.* Each Philippine-trainee shall receive a maintenance allowance of not more than \$6.00 per day for quarters and subsistence during office or field assignments in the United States, not more than \$4.00 per day for subsistence during assignments on board Coast and Geodetic Survey vessels operating in United States waters, and \$1.00 per day subsistence allowance while on assignment in the Republic of the Philippines.

§ 5.8 *Survey vessel and ship employees.* The U. S. Coast and Geodetic Survey shall assume all financial responsibility for the manning, operating, and repair of one survey vessel. This survey vessel will be provided by the Republic of the Philippines. The rates of pay and allowable rations for members of the crew of Chief Engineer shall be fixed by the Director, subject to the approval of the Secretary of Commerce.

§ 5.9 *Additional authorization.* Any emergency, unusual or additional payment deemed necessary under the program, if allowable under any existing authority may be authorized whether or not specifically provided for by these regulations.

§ 5.10 *Insurance or medical services.* Insurance or medical services (except those provided on U. S. Government vessels) must be at the expense of the individual.

§ 5.11 *Clothing.* All clothing required by the trainee must be obtained at his expense.

§ 5.12 *General conditions of employment.* Philippine-trainees are exempt from the following appointment requirements: Age, citizenship, veterans' preference, physical condition, fingerprinting, civil service examination, and oath of office. Philippine-trainees are likewise not subject to the provisions of the Retirement Act. Philippine-trainees are, however, subject to the usual leave of absence provisions applicable to Department of Commerce temporary employees (see Administrative Order 202-17) the usual rights under the United States Employees' Compensation Act (see Administrative Order 202-19) and to such other policies and procedures applicable generally to the conditions of temporary employment in the Department of Commerce and which are not inconsistent with the basic purposes of the training program.

Dated: December 6, 1946.

[SEAL]

L. O. COLBERT,  
Director,

U. S. Coast and Geodetic Survey.

Approved: December 9, 1946.

WILLIAM C. FOSTER,  
Acting Secretary of Commerce.

Approved: December 30, 1946.

JAMES F. BYRNES,  
Secretary of State.

[F. R. Doc. 47-128; Filed, Jan. 6, 1947;  
8:58 a. m.]

## TITLE 5—ADMINISTRATIVE PERSONNEL

### Chapter I—Civil Service Commission

#### PART 12—REMOVALS AND REDUCTIONS

##### RETENTION PREFERENCE REGULATIONS FOR USE IN REDUCTIONS IN FORCE

###### Correction

In Federal Register Document 47-88, appearing at page 59 of the issue for Saturday, January 4, 1947, the introductory paragraph of § 12.310 (carried under amendatory paragraph 2) should read as follows:

§ 12.310 *Notice to employees.* An employee in group A-1 or A-2 with competitive status affected by a reduction in force shall be given an individual notice in writing one year before the action becomes effective. His one-year notice period shall be composed of, whenever possible, at least 30 days in an active duty status; a non-duty status with pay for the duration of his leave, if any; and the balance of the year in a furlough or leave without pay status. Exceptions to this rule are authorized when the employee requests separation in lieu of furlough, or when the agency as a whole is liquidating, in which case the notice period shall terminate as of the day the agency is finally liquidated.

## TITLE 31—MONEY AND FINANCE: TREASURY

### Chapter I—Monetary Offices, Department of the Treasury

#### PART 131—GENERAL LICENSES UNDER EXECUTIVE ORDER NO. 8389, APRIL 10, 1940, AS AMENDED, AND REGULATIONS ISSUED PURSUANT THERETO

##### IMPORTING AND EXPORTING OF GOODS, WARES AND MERCHANDISE

JANUARY 1, 1947.

Amendment to General License No. 53 under Executive Order No. 8389, as amended, Executive Order No. 9193, as amended, section 5 (b) of the Trading with the Enemy Act, as amended by the First War Powers Act, 1941, relating to foreign funds control.

Paragraph (d) (1) of § 131.53 (paragraph (4) (a) of General License No. 53) is hereby amended to read as follows:

§ 131.53 *General License No. 53.* \* \* \*

(d) As used in this general license: (1) The term "generally licensed trade area" shall include all foreign countries except the following:

(i) Germany and Japan;  
(ii) Bulgaria, Hungary, Roumania, and Italy;

(iii) Sweden, Switzerland, Spain, Portugal, Liechtenstein, and Tangier;

(iv) France (including Monaco), Belgium, Norway, Finland, the Netherlands, Czechoslovakia, Luxembourg, Denmark, Greece, Poland, Estonia, Latvia, Lithuania, Austria, and Yugoslavia, but not including any colony or other non-European territory subject to the jurisdiction of any such country except French West Africa, Algeria, Tunisia, and French Morocco.

(Sec. 5 (b) 40 Stat. 415, 966; sec. 2, 48 Stat. 1, 54 Stat. 179; sec. 301, 55 Stat. 839; 12 U. S. C. 95a; 50 U. S. C. App. Sup., 5 (b), E. O. 8389, April 10, 1940, as amended by E. O. 8785, June 14, 1941, E. O. 8832, July 26, 1941, E. O. 8963, Dec. 9, 1941, and E. O. 8998, Dec. 26, 1941, E. O. 9193, July 6, 1942, as amended by E. O. 9567, June 8, 1945; 3 CFR, Cum. Supp., 10 F. R. 6917; Regulations, April 10, 1940, as amended June 14, 1941, February 19, 1946, and June 28, 1946; 31 CFR, Cum. Supp., 130.1-7, 11 F. R. 1769, 7184)

[SEAL]

JOHN W. SNYDER,  
Secretary of the Treasury.

[F. R. Doc. 47-100; Filed, Jan. 6, 1947;  
8:58 a. m.]

#### PART 131—GENERAL LICENSES UNDER EX- ECUTIVE ORDER NO. 8389, APRIL 10, 1940, AS AMENDED, AND REGULATIONS ISSUED PURSUANT THERETO

##### PROPERTY CERTIFIED BY GOVERNMENTS OF SPECIFIED COUNTRIES

DECEMBER 27, 1946.

Amendment to General License No. 95 under Executive Order No. 8389, as

amended, Executive Order No. 9193, as amended, section 5 (b) of the Trading With the Enemy Act, as amended by the First War Powers Act, 1941, relating to foreign funds control.

Paragraph (d) (1) of § 131.95 (Paragraph (4) (a) of General License No. 95) is hereby amended to read as follows:

§ 131.95 *Property certified by governments of specified countries.* \* \* \*

(d) *Definitions.* \* \* \*

(1) The term "country specified herein" means the following:

- (i) France, effective October 5, 1945;
  - (ii) Belgium, effective November 20, 1945;
  - (iii) Norway, effective December 29, 1945;
  - (iv) Finland, effective December 29, 1945;
  - (v) The Netherlands, effective February 13, 1946;
  - (vi) Czechoslovakia, effective April 26, 1946;
  - (vii) Luxembourg, effective April 26, 1946;
  - (viii) Denmark, effective June 14, 1946;
  - (ix) Greece, effective October 15, 1946;
  - (x) Switzerland, effective November 30, 1946;
  - (xi) Liechtenstein, effective November 30, 1946;
  - (xii) Poland, effective January 7, 1947;
- and each country specified herein shall be deemed to include any colony or other territory subject to its jurisdiction.

(Sec. 5 (b) 40 Stat. 415, 966; sec. 2, 48 Stat. 1; 54 Stat. 179; sec. 301, 55 Stat. 839; 12 U. S. C. 95a; 50 U. S. C. App. Sup., 5 (b) E. O. 8389, April 10, 1940, as amended by E. O. 8785, June 14, 1941, E. O. 8832, July 26, 1941, E. O. 8963, Dec. 9, 1941, and E. O. 8998, Dec. 26, 1941, E. O. 9193, July 6, 1942, as amended by E. O. 9567, June 8, 1945; 3 CFR, Cum. Supp., 10 F. R. 6917; Regulations, April 10, 1940, as amended June 14, 1941, February 19, 1946, June 28, 1946, and January 1, 1947; 31 CFR, Cum. Supp., 130.1-7, 11 F. R. 1769, 7184.

[SEAL] JOHN W. SNYDER,  
*Secretary of the Treasury.*

[F. R. Doc. 47-101; Filed, Jan. 6, 1947;  
8:57 a. m.]

#### PART 131—GENERAL LICENSES UNDER EXECUTIVE ORDER NO. 8389, APRIL 10, 1940, AS AMENDED, AND REGULATIONS ISSUED PURSUANT THERETO

##### REVOCATION OF CERTAIN GENERAL LICENSES JANUARY 1, 1947.

Revocation of General Licenses Nos. 15, 20, 56, 58, 59, 60, 61, 73, 75, and 96, under Executive Order No. 8389, as amended, Executive Order No. 9193, as amended, section 5 (b) of the Trading With the Enemy Act, as amended by the First War Powers Act, 1941, relating to foreign funds control.

Sections 131.15, 131.20, 131.56, 131.58, 131.59, 131.60, 131.61, 131.73, 131.75, and 131.96 (General Licenses Nos. 15, 20, 56, 58, 59, 60, 61, 73, 75, and 96) are hereby revoked.

(Sec. 5 (b) 40 Stat. 415, 966; sec. 2, 43 Stat. 1, 54 Stat. 179; sec. 301, 55 Stat. 839; 12 U. S. C. 95a; 50 U. S. C. App. Sup., 5 (b) E. O. 8389, April 10, 1940, as amended by E. O. 8785, June 14, 1941, E. O. 8832, July 26, 1941, E. O. 8963, Dec. 9, 1941, and E. O. 8998, Dec. 26, 1941; E. O. 9193, July 6, 1942, as amended by E. O. 9567, June 8, 1945; 3 CFR, Cum. Supp., 10 F. R. 6917; Regulations, April 10, 1940, as amended June 14, 1941, February 19, 1946, and June 28, 1946; 31 CFR, Cum. Supp., 130.1-7, 11 F. R. 1769, 7184)

[SEAL] JOHN W. SNYDER,  
*Secretary of the Treasury.*

[F. R. Doc. 47-102; Filed, Jan. 6, 1947;  
8:58 a. m.]

#### APPENDIX B TO PART 131—PUBLIC CIRCULARS UNDER EXECUTIVE ORDER NO. 8389, APRIL 10, 1940, AS AMENDED, AND REGULATIONS ISSUED PURSUANT THERETO

##### REVOCATION OF CERTAIN PUBLIC CIRCULARS JANUARY 1, 1947.

Revocation of Public Circulars Nos. 7, 17 and 27 under Executive Order No. 8389, as amended, Executive Order No. 9193, as amended, sections 3 (a) and 5 (b) of the Trading With the Enemy Act, as amended by the First War Powers Act, 1941, relating to foreign funds control.

Part 131, Appendix B, Public Circular No. 7 issued November 12, 1941, Public Circular No. 17 issued March 13, 1942, and Public Circular No. 27 issued April 10, 1945, are hereby revoked.

(Sec. 3 (a) 40 Stat. 412; sec. 5 (b) 40 Stat. 415, 966; sec. 2, 48 Stat. 1; 54 Stat. 179; sec. 301, 55 Stat. 839; 50 U. S. C. App. 3 (a) 12 U. S. C. 95a; 50 U. S. C. App. Sup., 5 (b) E. O. 8389, April 10, 1940, as amended by E. O. 8785, June 14, 1941, E. O. 8832, July 26, 1941, E. O. 8963, Dec. 9, 1941, and E. O. 8998, Dec. 26, 1941; E. O. 9193, July 6, 1942, as amended by E. O. 9567, June 8, 1945; 3 CFR, Cum. Supp., 10 F. R. 6917; Regulations, April 10, 1940, as amended June 14, 1941, February 19, 1946, and June 28, 1946; 31 CFR, Cum. Supp., 130.1-7, 11 F. R. 1769, 7184)

[SEAL] JOHN W. SNYDER,  
*Secretary of the Treasury.*

[F. R. Doc. 47-103; Filed, Jan. 6, 1947;  
8:58 a. m.]

## TITLE 32—NATIONAL DEFENSE

### Chapter I—Office of Temporary Controls, Office of the Administrator [OTC Reg. 3]

#### PART 3—DELEGATION OF AUTHORITY

##### ADOPTION, RATIFICATION, CONFIRMATION AND VALIDATION OF OWMR AND OES ACTIONS

§ 3.201 *Adoption, ratification, confirmation and validation of OWMR and OES actions.* All rules, regulations, orders directives, directions, certificates, delegations of authority, including the

continuing authority to issue orders and to take other action thereunder, organizational documents, procedural documents, and any other actions which were issued or taken by, or under the authority of the Director of War Mobilization and Reconversion and of the Economic Stabilization Director, or by any other authorized official of the Office of War Mobilization and Reconversion and the Office of Economic Stabilization, and which were in effect on December 12, 1946 are, in accordance with Executive Order 9809, hereby adopted, ratified and confirmed, and shall remain in full force and effect until they expire by their terms or are revoked or amended. (E. O. 9809, Dec. 12, 1946, 11 F. R. 14281)

Issued this 31st day of December 1946.

PHILIP B. FLEELING,  
*Temporary Controls Administrator.*

[F. R. Doc. 47-119; Filed, Jan. 6, 1947;  
8:48 a. m.]

## Chapter VI—Selective Service System

[Amdt. 414]

### PART 632—INDUCTION CALLS

#### REGISTRANTS OUTSIDE OF UNITED STATES

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, Selective Service Regulations, Second Edition, are hereby amended in the following respect:

##### 1. Amend § 632.4-2 to read as follows:

§ 632.4-2 *Registrants outside of the United States when ordered to report for induction.* Men ages 19 through 29 and men who have volunteered for induction and who are of an age currently acceptable to the armed forces as volunteers if outside of the United States at the time they are ordered to report for induction, shall, under special procedures prescribed by the Director of Selective Service, be ordered to report at their own expense for induction in the United States, or, in lieu of so reporting for induction, shall be permitted, upon receipt of the order to report for induction, to enlist immediately in the armed forces of the United States outside the United States in any country the government of which does not prohibit such enlistment.

The foregoing amendments to the Selective Service Regulations shall be effective within the continental United States immediately upon the filing hereof with the Division of the Federal Register and shall be effective outside the continental limits of the United States on the 30th day after the date of filing hereof with the Division of the Federal Register.

(54 Stat. 885, 55 Stat. 627, 844, 56 Stat. 1018, 59 Stat. 166; 50 U. S. C. App. Sup. 302 et seq.)

LEWIS B. HERSHEY,  
*Director.*

DECEMBER 30, 1946.

[F. R. Doc. 47-135; Filed, Jan. 6, 1947;  
8:49 a. m.]

[Amdt. 415]

## PART 633—DELIVERY AND INDUCTION

## REGISTRANTS INDUCTED BECAUSE OF REQUEST FOR IMMEDIATE INDUCTION OR ENLISTING OUTSIDE UNITED STATES

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, Selective Service Regulations, Second Edition, are hereby amended in the following respect:

Amend § 633.24 to read as follows:

§ 633.24 *Registrants inducted because of request for immediate induction or enlisting outside United States to be listed on Delivery List (DSS Form 151)* When the local board receives a Delivery List (DSS Form 151) from the induction station showing that a registrant who has signed a Request for Immediate Induction (DSS Form 219) has been inducted into the armed forces without a call, or when the local board receives a Delivery List (DSS Form 151) or other information showing that a registrant has enlisted in the armed forces outside the United States, it shall (a) list such registrant on the Delivery List (DSS Form 151) for the next group selected to report for induction to fill a call and opposite the name of each such registrant under "Remarks" in column 3 enter the fact that such registrant has been inducted at the induction station or has enlisted outside the United States, the date of such induction or enlistment, and, if the registrant was inducted, the fact that such induction resulted from the registrant's signing a Request for Immediate Induction (DSS Form 219) and (b) count such registrant toward filling such induction call.

The foregoing amendment to the Selective Service Regulations shall be effective within the Continental United States immediately upon the filing hereof with the Division of the Federal Register and shall be effective outside the continental limits of the United States on the 30th day after the date of filing hereof with the Division of the Federal Register. (54 Stat. 885, 55 Stat. 627, 844, 56 Stat. 1018, 59 Stat. 166; 50 U. S. C. App. Sup. 302 et seq.)

LEWIS B. HERSHEY,  
Director

DECEMBER 30, 1946.

[F. R. Doc. 47-136; Filed, Jan. 6, 1947;  
8:49 a. m.]

## PART 671—LOCAL BOARD MEMORANDUM

## CLASSIFICATION, PHYSICAL EXAMINATION, AND INDUCTION OF U. S. CITIZENS WHO ARE OUTSIDE THE UNITED STATES

Pursuant to the provisions of the Administrative Procedures Act, the following directive issued under authority of the Selective Training and Service Act of 1940, as amended, is hereby made a matter of record:

§ 671.189 *Classification, physical examination, and induction of United States citizens who are outside the United States, Hawaii, Alaska, Puerto Rico, and the Virgin Islands of the United States—*  
(a) *General—*(1) *Scope of section.* This

section is concerned with the classification, physical examination, and induction of United States citizens who are outside the United States,<sup>1</sup> and with the special procedures relating thereto.

(2) *Place of registration immaterial.* Certain citizens who are outside the United States are registered in the United States and certain others are required to register in foreign countries in accordance with the President's Proclamation of October 26, 1943. For the purposes of this section, it is immaterial where the citizen is registered. If he registered outside the United States, the registration was accomplished by an American diplomatic or consular representative, by a representative of The Panama Canal, or by any other person regularly appointed as a registrar by completing the Registration Card (DSS Form 1-F). The completed DSS Form 1-F is transmitted to the National Headquarters of Selective Service and from there distributed to the appropriate local board. (See § 618.11, Selective Service Regulations.)

(3) *Assignment of serial and order numbers to citizens registered outside the United States.* For citizens registered outside the United States, the local board shall prepare Registration Cards (DSS Form 1) and Registration Certificates (DSS Form 2-F) assign serial and order numbers in the manner prescribed for late registrants (see Part 615, Selective Service Regulations) and file the Registration Cards.

(4) *Duty to obey orders of local board.* A citizen is not relieved of his liability for training and service, or of the duty to obey the orders of his local board by reason of his being outside the United States. Any registrant coming within the purview of this memorandum shall be deemed a delinquent, and so reported in the prescribed manner, in the event of his failure to comply with the orders necessary to his processing. Delinquents shall be processed under Part 642 of this chapter.

(5) *Certain forms not required.* Forms not specifically enumerated in this memorandum shall not be forwarded when processing registrants who are outside the United States for classification, physical examination, or induction.

(b) *Classification—*(1) *Classification procedure.* Except as otherwise provided herein, the procedure for the classification of a citizen who is outside the United States shall be the same as for any other registrant.

(2) *Preparation of DSS Forms 40 and 40-F* Unless a completed DSS Form 40 has already been filed, the local board shall:

(i) For citizens who registered in the United States, type on page 1 of a DSS Form 40 the registrant's present mailing address outside the United States, complete page 4, and insert the Additional Instructions to Registrants Outside the United States (DSS Form 40-F)

<sup>1</sup> Wherever in this memorandum the phrase "the United States" appears it means the continental United States, Hawaii, Alaska, Puerto Rico, and the Virgin Islands of the United States. Whether a citizen is outside the United States shall be determined by the citizen's mailing address as shown by the latest information in his Cover Sheet.

(ii) For citizens who registered outside the United States, type on page 1 of DSS Form 40 the registrant's present mailing address outside the United States and the address of the American embassy, legation, consulate, or office of The Panama Canal at which he registered. Complete page 1 of DSS Form 40 and insert DSS Form 40-F

(3) *Time for returning DSS Forms 40 and 40-F* The local board shall extend the usual 10-day limit for returning the DSS Forms 40 and 40-F to not less than 60 days for a registrant who is in Canada, Cuba, Mexico, or The Panama Canal Zone, and to not less than 90 days for a registrant who is in any other place outside the United States.

(4) *Mailing of DSS Forms 2-F, 40, and 40-F* The DSS Forms 2-F, 40, and 40-F, completed as required herein, shall be transmitted to the registrant in the following manner:

(i) Mail the DSS Forms 2-F, 40, and 40-F directly to a registrant in Canada, Cuba, Mexico, or The Panama Canal Zone.

(ii) Mail the DSS Forms 2-F, 40, and 40-F pertaining to a registrant who is outside the United States in a country other than Canada, Cuba, Mexico, and The Panama Canal Zone to the State Director of Selective Service for review and transmittal to the Director of Selective Service, Washington, D. C., for transmission to the registrant.

(5) *Classification.* Upon receipt of the completed DSS Forms 40 and 40-F the local board shall classify the registrant, prepare a Notice of Classification (DSS Form 57) and transmit the latter form to the registrant in the manner indicated in sub-paragraph (4) of this paragraph. It shall also prepare and mail Classification Advice (DSS Form 59) in the usual manner. A notation of the period of time within which an appeal may be taken shall be made on the DSS Forms 57 and 59.

(6) *Appeal to board of appeal or to the President.* For registrants in Canada, Cuba, Mexico, or The Panama Canal Zone, an appeal may be taken within 30 days after the date the local board mails to the registrant a Notice of Classification (DSS Form 57) and for registrants in other places outside the United States, within 60 days after the date the local board transmits to the registrant in the manner outlined herein in sub-paragraph (4) of this paragraph. A Notice of Classification (DSS Form 57) If an appeal is taken to the board of appeal, the local board shall immediately transmit the file on appeal in the manner provided in § 627.13 of this chapter whether or not the registrant has been ordered to report for or has submitted to a physical examination. Notice of Classification (DSS Form 57) after appeal, shall be mailed or transmitted to the registrant in the manner indicated in sub-paragraph (4) of this paragraph, and Classification Advice (DSS Form 59) shall be mailed to any person, other than the registrant, concerned.

(c) *Physical examination of citizens outside the United States.* As soon as the local board classifies into Class I-A, Class I-A-O, or Class IV-E a citizen within an



age group acceptable to the armed forces, who is outside the United States, Hawaii, Alaska, Puerto Rico, and the Virgin Islands of the United States the local board shall order him to submit to a physical examination as provided in this paragraph unless (i) he has been given a preinduction physical examination under Part 629 of this chapter, or (ii) the local board has received a report of his physical examination, otherwise given, and regardless of the date of such physical examination.

(2) *Procedure for physical examination.* To accomplish such physical examination the local board shall proceed as follows:

(i) Properly prepare Part I of Order to Report—Preinduction Physical Examination—Special (DSS Form 215-F) in triplicate. Part II thereof will be completed by the American diplomatic or consular officer concerned, or by a representative of The Panama Canal. File one copy of DSS Form 215-F in the registrant's cover sheet.

(ii) Prepare the original and copy of Report of Physical Examination and Induction (DSS Form 221) complete as to section 1 and item 20 of section 2.

(iii) Mail original and one copy of DSS Form 215-F and the original and copy of DSS Form 221 to the State Director of Selective Service for review and transmittal to the Director of Selective Service, Washington, D. C., for all registrants concerned outside the United States, including such registrants in Canada, Cuba, Mexico, and The Panama Canal Zone. The Director will arrange for the physical examination of such citizens through appropriate governmental agencies.

(3) *Procedure for physical examination if citizen reports to local board.* If in response to an Order to Report—Preinduction Physical Examination—Special (DSS Form 215-F) a citizen outside the United States reports to his local board he shall be forwarded to the induction station for preinduction physical examination under Part 629 of this chapter.

(4) *Procedure after physical examination.* Following such physical examination the local board will receive the completed original and the copy of DSS Form 221 from the induction station, or, if the physical examination was given outside the United States, the local board will receive the completed original and the copy of DSS Form 221, or such other report of physical examination as is deemed appropriate in lieu of DSS Form 221, with a notation of National Headquarters thereon concerning the result of such physical examination.

(i) If the DSS Form 221 received from the induction station, or the notation on the form received from National Headquarters indicates that the registrant does not meet the current physical and mental requirements of the Army or of the Navy for service therewith his classification shall be reopened and he shall be placed in the first class listed in § 623.21 of this chapter for which he is eligible. The local board shall then prepare a Notice of Classification (DSS Form 57) and transmit it to the registrant in the usual manner indicated in subparagraph (4) of paragraph (b) of this sec-

tion. The local board shall also prepare and mail Classification Advice (DSS Form 59) and complete and distribute the original and the copy of DSS Form 221 in the usual manner.

(ii) If the DSS Form 221 received from the induction station shows the registrant to be qualified for general military service, or the notation on the form received from National Headquarters indicates that the registrant apparently does meet the current physical and mental requirements of the Army or of the Navy for service therewith the local board shall proceed in the manner prescribed in paragraph (d) of this section.

(5) *Induction regardless of date of physical examination outside United States.* In any case of a registrant who has been physically examined outside the United States through arrangements made by the Director through appropriate government agencies and who thereby apparently meets the current physical and mental requirements of the Army or of the Navy for service therewith, as is indicated by the notation of National Headquarters on the DSS Form 221, or on such other report of physical examination as is deemed appropriate in lieu of DSS Form 221, the local board shall proceed to order him for induction in the manner provided in this memorandum regardless of the date of such physical examination.

(d) *Induction—(1) Induction of citizens outside the United States.* (i) A citizen outside the United States finally classified in Class I-A, or Class I-A-O, who has been found qualified for general military service under Part 629 of this chapter or who, as the result of a physical examination arranged for by the Director through appropriate government agencies apparently meets the current physical and mental requirements of the Army or of the Navy for service therewith, as indicated by the notation of National Headquarters on the report of such physical examination, shall be ordered to report at his own expense for induction in the United States or its possessions where inductions are being accomplished in accordance with his sequence of volunteering, if a volunteer, or at such time as his order number is reached in the group of nonvolunteers to which the registrant properly belongs in the process of filling a call for the Army or for the Navy. (If such citizen is a delinquent he shall be ordered to report for induction without a physical examination and without reference to the sequence of his order number.)

(ii) The local board shall prepare the Order to Report for Induction—Special (DSS Form 150-F) pertaining to such citizen in original and two copies, signed by a member or clerk of the local board. The original and first copy of the form shall be mailed to the State Director of Selective Service for review and transmittal to the Director of Selective Service, Washington, D. C. The second copy shall be placed and retained in the registrant's Cover Sheet (DSS Form 53)

(iii) The Director, upon receipt of the above form, will transmit the original to the registrant for compliance with instructions contained therein.

(2) *Induction of citizens who return to the United States.* (i) When a registrant returns to the United States in compliance with an Order to Report for Induction—Special (DSS Form 150-F) he shall proceed directly and without delay to his local board unless he elects to transfer for induction, upon reaching the United States, as provided in § 633.11 of this chapter.

(ii) If a registrant returns to the United States not in compliance with an Order to Report for Induction—Special (DSS Form 150-F) but following a physical examination arranged for by the Director through appropriate government agencies by which he was apparently found to meet the current physical and mental requirements of the Army or of the Navy for service therewith, the local board shall process him for induction in the same manner as any other registrant residing in the United States, except that it shall not be necessary to forward him for a preinduction physical examination, regardless of the date of his physical examination. When such registrant is forwarded for induction the DSS Form 151 shall contain a notation under "Remarks" opposite his name that a physical examination has already been accomplished.

(3) *Failure to report for induction.* If the registrant fails to comply with the Order to Report for Induction—Special (DSS Form 150-F) he is delinquent and should be processed under the provisions of Part 642 of this chapter.

(4) *Citizens outside the United States permitted to enlist.* A citizen outside the United States will be permitted, in lieu of reporting at his own expense to his local board or to a local board of transfer, to enlist immediately in the United States Armed Forces outside the United States in any country the government of which does not prohibit such enlistment.

(e) *Volunteers; registrants outside the United States who volunteer for induction and request immediate induction.* Registrants who are outside the United States and who sign an Application for Voluntary Induction (DSS Form 165) and a Request for Immediate Induction (DSS Form 219) shall be processed in the manner prescribed in this section for other registrants outside the United States.

(f) *Work of national importance; assignment of Class IV-E registrants.* A citizen outside the United States, finally classified in Class IV-E, who as a result of a preinduction physical examination under Part 629 of this chapter has been found qualified for service with the armed forces, or who as a result of a physical examination outside the United States apparently meets the current physical and mental requirements of the Army or of the Navy for service therewith, shall be assigned to work of national importance under Part 652 of this chapter.

(54 Stat. 885, 55 Stat. 627, 844, 56 Stat. 1018, 59 Stat. 166; 50 U. S. C. App. Sup. 302, et seq.)

LEWIS B. HERSHEY,  
Director.

[F. R. Doc. 47-134; Filed, Jan. 6, 1947; 8:45 a. m.]

### Chapter IX—Office of Temporary Controls, Civilian Production Administration

**AUTHORITY:** Regulations in this chapter unless otherwise noted at the end of documents affected, issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236, 56 Stat. 177, 58 Stat. 827, and Public Laws 270 and 475, 70th Congress; Public Law 388, 79th Congress; E. O. 9024, 7 F. R. 329; E. O. 9040, 7 F. R. 527; E. O. 9125, 7 F. R. 2719; E. O. 9599, 10 F. R. 10155; E. O. 9636, 10 F. R. 12591; C. P. A. Reg. 1, Nov. 5, 1945, 10 F. R. 13714; Housing Expediter's Priorities Order 1, Aug. 27, 1946, 11 F. R. 9507; E. O. 9809, Dec. 12, 1946, 11 F. R. 14281; OTC Reg. 1, 11 F. R. 14311.

#### PART 1010—SUSPENSION ORDERS [Suspension Order S-1066]

M. J. DONTAS

M. J. Dontas, 551 Highland Avenue, Warren, Ohio, at some time during July or August 1946, without authorization from the Civilian Production Administration resumed and carried on until October 17, 1946 the construction of a warehouse and storage building located at 1809 Elm Road Extension, Warren, Ohio. M. J. Dontas had originally begun this construction by laying footings for the foundation of said structure during October 1945, whereupon construction had been suspended and no further construction had been done until it was resumed as above stated. The estimated cost of said construction is \$8,000. The resuming and carrying on of construction as aforesaid constituted a violation of Veterans' Housing Program Order No. 1. This violation has diverted critical materials to uses not authorized by the Civilian Production Administration. In view of the foregoing, it is hereby ordered that:

§ 1010.1066 *Suspension Order No. S-1066.* (a) Neither M. J. Dontas, his successors or assigns, nor any other person shall do any further construction on the premises located at 1809 Elm Road Extension, Warren, Ohio, including putting up, completing or altering the structure, unless hereafter authorized in writing by the Civilian Production Administration.

(b) M. J. Dontas shall refer to this order in any application or appeal which he may file with the Civilian Production Administration for priorities assistance or for authorization to carry on construction.

(c) Nothing contained in this order shall be deemed to relieve M. J. Dontas, his successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the Civilian Production Administration, except insofar as the same may be inconsistent with the provisions hereof.

Issued this 6th day of January 1947.

CIVILIAN PRODUCTION  
ADMINISTRATION,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 47-186; Filed, Jan. 6, 1947; 11:12 a. m.]

### Chapter XVIII—Office of Temporary Controls, Office of War Mobilization and Reconversion (Stabilization)

#### PART 4003—SUBSIDIES; SUPPORT PRICES

##### LIVESTOCK SLAUGHTER PAYMENTS

**CROSS REFERENCE:** For amendments affecting § 4003.51, covering the livestock slaughter program, see Part 4004 of this chapter, *infra*.

[Directive 41,<sup>1</sup> Amdt. 9]

#### PART 4004—PRICE STABILIZATION; MAXIMUM PRICES

##### LIVESTOCK SLAUGHTER PAYMENTS

Section 4004.1 *Livestock slaughter payments* (Directive 41) is amended in the following respects:

1. The last sentence of paragraph (a) of section 7 is amended to read as follows: "No subsidy withheld under this section 7 (a) for refusal or failure to furnish information requested or required by the Office of Price Administration shall be released unless the requested or required information is provided on or before February 28, 1947."

2. The last sentence of subparagraph (5) of section 7 (b) is amended to read as follows: "Applications for release of subsidy made pursuant to this section 7 (b) (5) must be made on or before February 28, 1947."

3. The last sentence of subparagraph (6) of section 7 (e) is amended to read as follows: "Applications for release of subsidy made pursuant to this section 7 (e) (6) must be made on or before February 28, 1947."

4. The last sentence of paragraph (b) of section 12 is amended to read as follows: "Applications for release of subsidy made pursuant to this section 12 (b) must be made on or before February 28, 1947."

(56 Stat. 765; 58 Stat. 632, 642, 784; 59 Stat. 306; Pub. Law 548, 79th Cong., 15 U. S. C. Sup. 713a-8; 713a-8 note, 50 U. S. C. App. Sup. 901-903, 921-925, 961-971, E. O. 9250, Oct. 3, 1942, 7 F. R. 7871, E. O. 9328, Apr. 8, 1943, 8 F. R. 4681, E. O. 9599, Aug. 18, 1945, 10 F. R. 10155; E. O. 9651, Oct. 30, 1945, 10 F. R. 13487; E. O. 9697, Feb. 14, 1946, 11 F. R. 1691, E. O. 9699, Feb. 21, 1946, 11 F. R. 1929; E. O. 9762, July 25, 1946, 11 F. R. 8073; E. O. 9809, Dec. 12, 1946, 11 F. R. 14281)

Issued and effective this 31st day of December 1946.

PHILIP B. FLEMING,  
Temporary Controls Administrator  
[F. R. Doc. 47-120; Filed, Jan. 6, 1947; 8:45 a. m.]

<sup>1</sup> 10 F. R. 4494, 10031; 11 F. R. 1215, 3102, 4340, 7042, 12363, 13750.

### Chapter XXIII—War Assets Administration

[Reg. 1, Amdt. 3]

#### PART 8301—DESIGNATION OF DISPOSAL AGENCIES AND PROCEDURES FOR REPORTING SURPLUS PROPERTY LOCATED WITHIN THE CONTINENTAL UNITED STATES, ITS TERRITORIES AND POSSESSIONS

War Assets Administration Regulation 1, July 19, 1946, entitled "Designation of Disposal Agencies and Procedures for Reporting Surplus Property Located within the Continental United States, Its Territories and Possessions" as amended through November 26, 1946 (11 F. R. 7970, 10221, 13969), is hereby further amended by deleting from § 8301.4 the word "American" in the last clause of the first sentence thereof; also, by deleting the next to the last sentence of said section which reads: "The term 'other American governments' refers to and includes all American governments within the Western Hemisphere except the United States, its territories and possessions."

(Surplus Property Act of 1944, as amended; 58 Stat. 765, as amended; 50 U. S. C. App. Sup. 1611, Pub. Law 181, 79th Cong., 59 Stat. 533; 50 U. S. C. App. Sup. 1614a, 1614b; and E. O. 9689, 11 F. R. 1265)

This amendment shall become effective January 2, 1947.

ROBERT M. LITTLEJOHN,  
Administrator

DECEMBER 31, 1946.

[F. R. Doc. 47-183; Filed, Jan. 6, 1947; 11:06 a. m.]

[Regulation 1,<sup>1</sup> Amdt. 1 to Order 1]

#### PART 8301—DESIGNATION OF DISPOSAL AGENCIES AND PROCEDURES FOR REPORTING SURPLUS PROPERTY LOCATED WITHIN THE CONTINENTAL UNITED STATES, ITS TERRITORIES AND POSSESSIONS

##### ASSIGNMENT OF SURPLUS PROPERTY

War Assets Administration Regulation 1, Order 1, July 19, 1946, entitled "Assignment of Surplus Property" (11 F. R. 7973) is amended in the following respects:

1. The assignment of items to War Assets Administration under Major Group 05-7 is amended to read as follows:

05-7 Crude medicinal herbs, roots, barks, and other plant parts, except U. S. P., N. F. and similar grades, and except the following:

- 05 7143 Coca leaves.
- Marihuana leaves classified under 05 7149.
- 05 7164 Opium bearing plant parts.

2. The assignment of items to War Assets Administration under Major Group 65 is amended to read as follows:

65 Drugs and Medicine except the following:

<sup>1</sup> 11 F. R. 7970, 10221, 13969.



- 65 2120 through 65 2129 Coca alkaloids, derivatives and preparations, m. g.  
 65 2150 through 65 2159 Opium alkaloids, derivatives and preparations, m. g.  
 65 2222 through 65 2229 Opium, opium processed and preparations, m. g.  
 65 3203 through 65 32039 Cannabis, dried flowering top and preparations, m. g. (Marihuana, dried flowering top, and preparations, m. g.)  
 65 7000 through 65 7970 Prescription pharmaceuticals and preparations containing two or more therapeutic agents, m. g., when they contain any quantity of opium, coca leaves, Cannabis or their derivatives, including, but not limited to, the following items:  
 65 7141 1 Powder of ipecac and opium m. g.  
 65 7161 2 Epinephrine and cocaine, m. g.  
 65 7250 2 Compound mixture of opium and glycyrrhiza, m. g. (Brown mixture).  
 65 7271 143 Elixir of terpine hydrate and codeine, m. g.  
 65 7271 601 Camphorated tincture of opium, m. g.  
 65 7960 6 Dilaudid hydrochloride suppositories, m. g.  
 65 8000 through 65 8290 Proprietary remedies, nonprescription pharmaceuticals, containing two or more medicinal agents, for human and animal use, m. g. when they contain any quantity of opium, coca leaves, Cannabis or their derivatives.

(Surplus Property Act of 1944, as amended; 58 Stat. 765, as amended; 50 U. S. C. App. Sup. 1611, Pub. Law 181, 79th Cong., 59 Stat. 533; 50 U. S. C. App. Sup. 1614a, 1614b; and E. O. 9689, 11 F. R. 1265)

This amendment shall become effective December 31, 1946.

ROBERT M. LITTLEJOHN,  
Administrator.

DECEMBER 31, 1946.

[F. R. Doc. 47-184; Filed, Jan. 6, 1947;  
11:06 a. m.]

[Reg. 1, Order 2]

**PART 8301—DESIGNATION OF DISPOSAL AGENCIES AND PROCEDURES FOR REPORTING SURPLUS PROPERTY LOCATED WITHIN THE CONTINENTAL UNITED STATES, ITS TERRITORIES AND POSSESSIONS**

**LOCATION OF DISPOSAL AGENCY OFFICES**

War Assets Administration Regulation 1, Order 2, July 19, 1946 entitled "Location of Disposal Agency Offices" (11 F. R. 7974) is hereby revised and amended as herein set forth. New matter is indicated by underscoring.

Pursuant to the authority of the Surplus Property Act of 1944, as amended (58 Stat. 765, as amended; 50 U. S. C. App. Sup. 1611) Public Law 181, 79th Congress (59 Stat. 533; 50 U. S. C. App. Sup. 1614a, 1614b) and Executive Order 9689 (11 F. R. 1265), *It is hereby ordered, That:*

§ 8301.52 *Location of disposal agency offices.* (a) Disposal agencies shall notify the Administrator whenever a change is made in the location of any office at which declarations of surplus property are directed to be filed. All

such changes will be carried into this order by amendment.

(b) Changes in the procedures for filing declarations of surplus prescribed in this order may be made on application to the Administrator.

(c) Except as provided in paragraph (d) declarations of surplus personal property located in the continental United States shall be filed at the following offices of the appropriate disposal agencies:

**WAR ASSETS ADMINISTRATION**

**CAPITAL AND PRODUCERS GOODS AND CONSUMER GOODS**

(Except aircraft and aircraft parts and electronic equipment)

**Area and Address**

**Region 1.** Boston, Mass. (Address—600 Washington St., Boston, Mass.) Territory: Connecticut (exclusive of Fairfield County), Maine, Massachusetts, New Hampshire, Rhode Island, Vermont.

**Region 2.** New York, N. Y. (Address—350 Fifth Avenue, New York, N. Y.) Territory: Connecticut (Fairfield County only) New Jersey (northern part), Counties of: Bergen, Essex, Hudson, Hunterdon, Middlesex, Monmouth, Morris, Passaic, Somerset, Sussex, Union, and Warren; New York.

**Region 3.** Philadelphia, Pa. (Address—Lafayette Building, Fifth and Chestnut Sts., Philadelphia, Pa.) Territory: Delaware; New Jersey, Counties of: Atlantic, Burlington, Camden, Cape May, Cumberland, Gloucester, Mercer, Ocean, and Salem; Pennsylvania (all except extreme western part), Counties of: Adams, Bedford, Berks, Blair, Bradford, Bucks, Cambria, Cameron, Carbon, Centre, Chester, Clearfield, Clinton, Columbia, Cumberland, Dauphin, Delaware, Elk, Franklin, Fulton, Huntingdon, Juniata, Lackawanna, Lancaster, Lebanon, Lehigh, Luzerne, Lycoming, McKean, Mifflin, Monroe, Montgomery, Montour, Northampton, Northumberland, Perry, Philadelphia, Pike, Potter, Schuylkill, Snyder, Sullivan, Susquehanna, Tioga, Union, Wayne, Wyoming, and York.

**Region 4.** Cincinnati, Ohio (Address—704 Race Street, Cincinnati, Ohio). Territory: Indiana (central part), Counties of: Bartholomew, Boone, Brown, Dearborn, Decatur, Delaware, Fayette, Franklin, Hamilton, Hancock, Hendricks, Henry, Jennings, Johnson, Madison, Marion, Monroe, Morgan, Ohio, Owen, Putnam, Randolph, Ripley, Rush, Shelby, Tipton, Union, and Wayne; Kentucky (eastern part), Counties of: Bath, Bell, Boone, Bourbon, Boyd, Bracken, Breathitt, Campbell, Carter, Clark, Clay, Elliott, Estill, Fayette, Fleming, Floyd, Garrard, Grant, Greenup, Harlan, Harrison, Jackson, Jessamine, Johnson, Kenton, Knott, Knox, Laurel, Lawrence, Lee, Leslie, Letcher, Lewis, Lincoln, McCreary, Madison, Magoffin, Martin, Mason, Menifee, Montgomery, Morgan, Nicholas, Owsley, Pendleton, Perry, Pike, Powell, Pulaski,

Robertson, Rockcastle, Rowan, Scott, Whitley, Wolfe, and Woodford; Ohio, Counties of: Adams, Athens, Belmont, Brown, Butler, Carroll, Champaign, Clark, Clermont, Clinton, Coshocton, Darke, Delaware, Fairfield, Fayette, Franklin, Gallia, Greene, Guernsey, Hamilton, Harrison, Highland, Hocking, Jackson, Jefferson, Knox, Lawrence, Licking, Logan, Madison, Meigs, Miami, Monroe, Montgomery, Morgan, Muskingum, Noble, Perry, Pickaway, Pike, Preble, Ross, Scioto, Shelby, Tuscarawas, Union, Vinton, Warren, and Washington.

**Region 5.** Chicago, Ill. (Address—1 North LaSalle St., Chicago, Ill.) Territory: Illinois (northern part) Counties of: Boone, Bureau, Carroll, Cass, Champaign, Christian, Clark, Coles, Cook, Cumberland, De Kalb, De Witt, Douglas, Du Page, Edgar, Ford, Fulton, Grundy, Hancock, Henderson, Henry, Iroquois, Jo Daviess, Kane, Kankakee, Kendall, Knox, Lake, La Salle, Lee, Livingston, Logan, McDonough, McHenry, McLean, Macon, Marshall, Mason, Menard, Mercer, Moultrie, Ogle, Peoria, Platt, Putnam, Rock Island, Sangamon, Schuyler, Shelby, Stark, Stephenson, Tazewell, Vermilion, Warren, Whiteside, Will, Winnebago, and Woodford; Indiana (northern part) Counties of: Adams, Allen, Benton, Blackford, Carroll, Cass, Clay, Clinton, De Kalb, Elkhart, Fountain, Fulton, Grant, Howard, Huntington, Jasper, Jay, Kosciusko, Lagrange, Lake, La Porte, Marshall, Miami, Montgomery, Newton, Noble, Parke, Porter, Pulaski, St. Joseph, Starke, Steuben, Tippecanoe, Vermillion, Vigo, Wabash, Warren, Wells, White, and Whitley; Wisconsin (southern part) Counties of: Adams, Brown, Calumet, Clark, Columbia, Crawford, Dane, Dodge, Door, Fond du Lac, Grant, Green, Green Lake, Iowa, Jackson, Jefferson, Juneau, Kenosha, Kewaunee, Lafayette, Langlade, Manitowoc, Marathon, Marinette, Marquette, Milwaukee, Monroe, Oconto, Outagamie, Ozaukee, Portage, Racine, Richland, Rock, Sauk, Shawano, Sheboygan, Vernon, Walworth, Washington, Waukesha, Waupaca, Waushara, Winnebago, and Wood.

**Region 6.** Atlanta, Ga. (Address—699 Ponce de Leon Ave., N. E., Atlanta, Georgia) Territory: Georgia.

**Region 7.** Fort Worth, Tex. (Address—Texas and Pacific Office Bldg., P. O. Box 1407, Fort Worth, Tex.) Territory: Texas, Counties of: Andrews, Archer, Armstrong, Bailey, Baylor, Borden, Bosque, Briscoe, Brown, Burnet, Callahan, Carson, Castro, Childress, Clay, Cochran, Coleman, Collingsworth, Coke, Comanche, Concho, Coryell, Cottle, Crockett, Crosby, Dallam, Dawson, Deaf Smith, Dickens, Donley, Eastland, Erath, Fisher, Floyd, Foard, Gaines, Garza, Glasscock, Gray, Hale, Hall, Hamilton, Hansford, Hardeman, Hartley, Haskell, Hemphill, Hockley, Hood, Howard, Hutchinson, Irion, Jack, Johnson, Jones, Kent, King, Knox, Lamb, Lampasas, Lipscomb, Lubbock, Lynn, McCulloch, Martin, Mehard, Mills, Mitchell, Montague, Moore, Motley, Nolan, Ochiltree, Oldham, Palo Pinto, Parker, Parmer, Potter, Randall, Reagan, Roberts, Run-

<sup>1</sup> 11 F. R. 7970, 10221, 13969.

nels, San Saba, Schleicher, Scurry, Shackelford, Sherman, Somervell, Stephens, Sterling, Stonewall, Sutton, Swisher, Tarrant, Taylor, Terry, Throckmorton, Tom Green, Upton, Wheeler, Wichita, Wilbarger, Wise, Yoakum, and Young.

**Region 8.** Kansas City, Mo. (Address—Troost & Bannister Rd., 95th St., P. O. Box 1037, Kansas City, Mo.) Territory—Kansas; Missouri (extreme western part) Counties of: Andrew, Atchison, Barton, Bates, Buchanan, Cass, Clay, Clinton, De Kalb, Gentry, Holt, Jackson, Jasper, McDonald, Newton, Nodaway, Platte, Vernon, and Worth.

**Region 9.** Denver, Colo. (Address—Commonwealth Bldg., 728 15th St., Denver, Colo.) Territory—Colorado; New Mexico.

**Region 10.** San Francisco, Calif. (Address—30 Van Ness Ave., San Francisco 2, Calif.) Territory—California (northern part) Counties of: Alameda, Alpine, Amador, Butte, Calaveras, Colusa, Contra Costa, Del Norte, Eldorado, Fresno, Glenn, Humboldt, Kern, Kings, Lake, Lassen, Madera, Marin, Mariposa, Mendocino, Merced, Modoc, Mono, Monterey, Napa, Nevada, Placer, Plumas, Sacramento, San Benito, San Francisco, San Joaquin, San Luis Obispo, San Mateo, Santa Clara, Santa Cruz, Shasta, Sierra, Siskiyou, Salano, Sonoma, Stanislaus, Sutter, Tehama, Trinity, Tulare, Tuolumne, Yolo, and Yuba.

**Region 11.** Seattle, Wash. (Address—1409 Second Ave., Seattle 1, Wash.) Territory—Washington (western part) Counties of: Clallam, Grays Harbor, Island, Jefferson, King, Kitsap, Kittitas, Lewis, Mason, Pacific, Pierce, San Juan, Skagit, Snohomish, Thurston, and Whatcom.

**Region 12.** Richmond, Va., (Address—East End 4th St., Richmond 24, Va.) Territory—Maryland; Virginia; District of Columbia; West Virginia.

**Region 13.** Charlotte, N. C. (Address—317 South Tryon St., Charlotte, N. C.) Territory—North Carolina; South Carolina.

**Region 14.** Jacksonville, Fla. (Address—St. John's Shipyard, Administration Bldg., P. O. Box 4129, Jacksonville, Fla.) Territory—Florida.

**Region 15.** Cleveland, Ohio (Address—Higbee Building, East 13th St. and Euclid Ave., Cleveland, Ohio) Territory—Ohio, Counties of: Allen, Ashland, Ashtabula, Auglaize, Columbiana, Crawford, Cuyahoga, Defiance, Erie, Fulton, Geauga, Hancock, Hardin, Henry, Holmes, Huron, Lake, Lorain, Lucas, Mahoning, Marion, Medina, Mercer, Morrow, Ottawa, Paulding, Portage, Putnam, Richland, Sandusky, Seneca, Stark, Summit, Trumbull, Van Wert, Wayne, Williams, Wood, and Wyandot; Pennsylvania (western part) Counties of: Allegheny, Armstrong, Beaver, Butler, Clarion, Crawford, Erie, Fayette, Forest, Greene, Indiana, Jefferson, Lawrence, Mercer, Somerset, Venango, Warren, Washington, and Westmoreland.

**Region 16.** Detroit, Michigan (Address—Buhl Bldg., 535 Griswold St., Detroit 26, Mich.) Territory—Michigan (eastern part), Counties of: Alcona, Allegan, Alpena, Antrim, Arenac, Barry, Bay, Benzie, Berrien, Branch, Calhoun, Cass, Charlevoix, Cheboygan, Clare, Clinton, Crawford, Eaton, Emmet, Genesee, Gladwin, Grand Traverse, Gratiot, Hillsdale, Huron, Ingham, Ionia, Iosco, Isabella, Jackson, Kalamazoo, Kalkaska, Kent, Lake, Lapeer, Leelanau, Lenawee, Livingston, Macomb, Manistee, Mason, Mecosta, Midland, Missaukee, Monroe, Montcalm, Montmorency, Muskegon, Newaygo, Oakland, Oceana, Ogemaw, Osceola, Oscoda, Otsego, Ottawa, Presque Isle, Roscommon, Saginaw, St. Clair, St. Joseph, Sanilac, Shiawassee, Tuscola, Van Buren, Washtenaw, Wayne, and Wexford.

**Region 17.** Louisville, Ky. (Address—412 West Market Street, P. O. Box 1259, Louisville 2, Ky.) Territory—Kentucky (western part) Counties of: Adair, Allen, Anderson, Ballard, Barren, Boyle, Breckinridge, Bullitt, Butler, Caldwell, Calloway, Carlisle, Carroll, Casey, Christian, Clinton, Crittenden, Cumberland, Daviess, Edmonson, Franklin, Fulton, Gallatin, Graves, Grayson, Green, Hancock, Hardin, Hart, Henderson, Henry, Hickman, Hopkins, Jefferson, Larue, Livingston, Logan, Lyon, McCracken, McLean, Marion, Marshall, Meade, Mercer, Metcalfe, Monroe, Muhlenberg, Nelson, Ohio, Oldham, Owen, Russell, Shelby, Simpson, Spencer, Taylor, Todd, Trigg, Trimble, Union, Warren, Washington, Wayne, Webster; Indiana (southeastern part) Counties of: Clark, Crawford, Floyd, Harrison, Jackson, Jefferson, Lawrence, Orange, Perry, Scott, Switzerland, and Washington.

**Region 18.** Nashville, Tenn. (Address—Consolidated-Vultee Bldg., Nashville, Tenn.) Territory—Tennessee.

**Region 19.** Birmingham, Ala. (Address—P. O. Box 2090, 1955 Fifth St., North, Birmingham, Ala.) Territory—Alabama.

**Region 20.** New Orleans, La. (Address—7020 Franklin Ave., P. O. Station D, New Orleans, La.) Territory—Louisiana; Mississippi.

**Region 21.** Minneapolis, Minn. (Address—504 Metropolitan Life Bldg., Minneapolis, Minn.) Territory—Minnesota; North Dakota; South Dakota; Michigan (northern part) Counties of: Alger, Baraga, Chippewa, Delta, Dickinson, Gogebic, Houghton, Iron, Keweenaw, Luce, Mackinac, Marquette, Menominee, Ontonagon, Schoolcraft; Wisconsin (northern part) Counties of: Ashland, Barron, Bayfield, Buffalo, Burnett, Chippewa, Douglas, Dunn, Eau Claire, Florence, Forest, Iron, La Crosse, Lincoln, Oneida, Pepin, Pierce, Polk, Price, Rusk, St. Croix, Sawyer, Taylor, Trempealeau, Vilas, and Washburn.

**Region 22.** St. Louis, Mo. (Address—505 North 7th St., St. Louis, Missouri) Territory—Missouri (all except extreme western part), Counties of: Adair, Audrain, Barry, Benton, Bollinger, Boone, Butler, Caldwell, Callaway, Camden, Cape Girardeau, Carroll, Carter, Cedar, Chariton, Christian, Clark, Cole, Cooper,

Crawford, Dade, Dallas, Davless, Dent, Douglas, Dunklin, Franklin, Gasconade, Green, Grundy, Harrison, Henry, Hickory, Howard, Howell, Iron, Jefferson, Johnson, Knox, Laclede, Lafayette, Lawrence, Lewis, Lincoln, Linn, Livingston, Macon, Madison, Maries, Marion, Mercer, Miller, Mississippi, Moniteau, Monroe, Montgomery, Morgan, New Madrid, Oregon, Osage, Ozark, Penicob, Perry Pettis, Phelps, Pike, Polk, Pulaski, Putnam, Ralls, Randolph, Ray, Reynolds, Ripley, St. Charles, St. Clair, St. Francois, St. Louis, Ste. Genevieve, Saline, Schuyler, Scotland, Scott, Shannon, Shelby, Stoddard, Stone, Sullivan, Taney, Texas, Warren, Washington, Wayne, Webster, and Wright; Illinois (southern part), Counties of: Adams, Alexander, Bond, Brown, Calhoun, Clay, Clinton, Crawford, Edwards, Effingham, Fayette, Franklin, Gallatin, Greene, Hamilton, Hardin, Jackson, Jasper, Jefferson, Jersey, Johnson, Lawrence, Macoupin, Madison, Marion, Massac, Monroe, Montgomery, Morgan, Perry, Pike, Pope, Pulaski, Randolph, Richland, St. Clair, Saline, Scott, Union, Wabash, Washington, Wayne, White, Williamson; Indiana (southwestern part), Counties of: Daviess, Dubois, Gibson, Greene, Knox, Martin, Pike, Posey, Spencer, Sullivan, Vanderburgh, and Warrick.

**Region 23.** Little Rock, Ark. (Address—Wallace Bldg., Little Rock, Ark.) Territory—Arkansas.

**Region 24.** Omaha, Nebr. (Address—601 WOW Bldg., Omaha 2, Nebr.) Territory—Nebraska; Wyoming; Iowa.

**Region 25.** Tulsa, Okla. (Address—2000 North Memorial Drive, P. O. Box 1409.) Territory—Oklahoma.

**Region 26.** Dallas, Texas (Address—War Assets Administration, Post Office Box 6030, Dallas 2, Texas.) Territory—Texas, Counties of: Bell, Bowie, Camp, Cass, Collin, Cooke, Crane, Culberson, Dallas, Delta, Denton, Ector, Ellis, El Paso, Falls, Fannin, Franklin, Freestone, Grayson, Gregg, Harrison, Henderson, Hill, Hopkins, Hudspeth, Hunt, Jeff Davis, Kaufman, Lamar, Leon, Limestone, Loving, McLennan, Marion, Midland, Milam, Morris, Navarro, Panola, Pecos, Rains, Red River, Reeves, Robertson, Rockwall, Rusk, Smith, Titus, Upshur, Van Zandt, Ward, Williamson, Winkler, and Wood.

**Region 27.** Houston, Texas (Address—7700 Wallisville Road, Hughes Street Plant, Houston 1, Texas.) Territory—Texas (southeastern part), Counties of: Anderson, Angelina, Austin, Bastrop, Brazoria, Brazos, Burleson, Calhoun, Chambers, Cherokee, Colorado, Fayette, Fort Bend, Galveston, Grimes, Hardin, Harris, Houston, Jackson, Jasper, Jefferson, Lavaca, Lee, Liberty, Madison, Matagorda, Montgomery, Nacogdoches, Newton, Orange, Polk, Refugio, Sabine, San Augustine, San Jacinto, Shelby, Trinity, Tyler, Victoria, Walker, Waller, Washington, and Wharton.

**Region 28.** San Antonio, Tex. (Address—3d Floor, Transit Tower Corner, South St. Mary's and Villita Sts., San Antonio 5, Tex.) Territory—Texas (southern part), Counties of: Arkansas,

Atascosa, Bandera, Bee, Bexar, Blanco, Brewster, Brooks, Caldwell, Cameron, Comal, De Witt, Dimmit, Duval, Edwards, Frio, Gillespie, Goliad, Gonzales, Guadalupe, Hays, Hidalgo, Jim Hogg, Jim Wells, Karnes, Kendall, Kenedy, Kerr, Kimble, Kinney, Kleberg, La Salle, Live Oak, Llano, McMullen, Mason, Maverick, Medina, Nueces, Presidio, Real, San Patricio, Starr, Terrell, Travis, Uvalde, Val Verde, Webb, Willacy, Wilson, Zapata, Zavalla.

*Region 29.* Helena, Mont. (Address—Power Block, P. O. Box 1161, Helena, Mont.) Territory—Montana.

*Region 30.* Salt Lake City, Utah (Address—Building 440, Fort Douglas, Utah) Territory—Utah; Idaho (southern part) Counties of: Ada, Adams, Bannock, Bear Lake, Bingham, Blaine, Boise, Bonneville, Butte, Camas, Canyon, Caribou, Cassia, Clark, Custer, Elmore, Franklin, Fremont, Gem, Gooding, Jefferson, Jerome, Lemhi, Lincoln, Madison, Minidoka, Oneida, Owyhee, Payette, Power, Teton, Twin Falls, Valley, and Washington; Nevada.

*Region 31.* Spokane, Wash. (Address—500 Welch Bldg., Spokane, Wash.) Territory—Washington (eastern part) Counties of: Adams, Asotin, Benton, Chelan, Columbia, Douglas, Ferry, Franklin, Garfield, Grant, Lincoln, Okanogan, Pend Oreille, Spokane, Stevens, Walla Walla, Whitman, and Yakima; Idaho (northern part) Counties of: Benewah, Bonner, Boundary, Clearwater, Idaho, Kootenai, Latah, Lewis, Nez Perce, and Shoshone.

*Region 32.* Portland, Oreg. (Address—War Assets Admn., Swan Island, P. O. Box 4062.) Territory—Oregon; Washington (southwestern part) Counties of: Clark, Cowlitz, Klickitat, Skamania, and Wahkiakum.

*Region 33.* Los Angeles, Calif. (Address—Mode O'Day Bldg., 155 West Washington Blvd., Los Angeles 15, Calif.) Territory—California (southern part) Counties of: Imperial, Inyo, Los Angeles, Orange, Riverside, San Bernardino, San Diego, Santa Barbara, and Ventura; Arizona.

#### WAR ASSETS ADMINISTRATION

*Aircraft.* War Assets Administration, Office of Aircraft Disposal, Washington 25, D. C.

*Aircraft parts.* War Assets Administration, Higbee Bldg., E. 13th & Euclid Ave., Cleveland, Ohio.

*Electronic equipment.* War Assets Administration, 425 Second St., S.W., Washington 25, D. C.

*Telephone and telegraph equipment.* War Assets Administration, 425 Second St., S.W., Washington 25, D. C.

#### MARITIME COMMISSION

United States Maritime Commission, Washington 25, D. C.

#### NAVY DEPARTMENT

Navy Department, Office of the Assistant Secretary, Washington 25, D. C.

#### DEPARTMENT OF AGRICULTURE

Production and Marketing Administration (Attention: Surplus Property), Washington 25, D. C.

#### NATIONAL HOUSING AGENCY

Federal Public Housing Authority, Attention: Real Estate and Disposition Branch, Washington 25, D. C.

(d) Declarations of surplus real property located in the continental United States, its territories and possessions, shall be filed with the War Assets Administrator, Washington 25, D. C. Declarations of surplus personal property which is to be declared surplus in conjunction with real property shall be prepared and filed as provided in § 8301.12 (a) of this part.

(e) Declarations of surplus personal property located in the territories and possessions of the United States shall be filed at the following offices of the appropriate disposal agencies designated in § 8301.3:

#### WAR ASSETS ADMINISTRATION

*Hawaii.* War Assets Administration, P. O. Box 3738, Honolulu, T. H.

*Alaska.* War Assets Administration, Box 1349, Fairbanks, Alaska.

*Puerto Rico and Virgin Islands.* War Assets Administration, Box 3352, San Juan, Puerto Rico.

#### MARITIME COMMISSION

United States Maritime Commission, Washington 25, D. C.

#### DEPARTMENT OF THE INTERIOR

*Hawaii.* Department of the Interior, Surplus Property Office, Honolulu, T. H. *Alaska and the Aleutian Islands.* Department of the Interior, Surplus Property Office, Anchorage, Alaska.

*Puerto Rico and Virgin Islands.* Department of the Interior, Surplus Property Office, San Juan, Puerto Rico.

This revised order shall become effective December 31, 1946.

ROBERT M. LITTLEJOHN,  
Administrator.

DECEMBER 30, 1946.

[F. R. Doc. 47-181; Filed, Jan. 6, 1947; 11:05 a. m.]

#### [Regulation 1, Revocation of Order 5]

PART 8301—DESIGNATION OF DISPOSAL AGENCIES AND PROCEDURES FOR REPORTING SURPLUS PROPERTY LOCATED WITHIN THE CONTINENTAL UNITED STATES, ITS TERRITORIES AND POSSESSIONS

APPROVAL OF DELEGATION OF AUTHORITY TO DEPARTMENT OF TREASURY, BUREAU OF NARCOTICS

War Assets Administration Regulation 1, Order 5, July 19, 1946, entitled "Approval of Delegation of Authority to Department of Treasury, Bureau of Narcotics" (11 F. R. 7977), is hereby revoked and rescinded.

This revocation shall become effective December 31, 1946.

(Surplus Property Act of 1944, as amended (58 Stat. 765, as amended; 50 U. S. C.

\* 11 F. R. 7970, 10221, 13963.

App. Sup. 1611) Public Law 181, 79th Cong. (59 Stat. 533; 50 U. S. C. App. Sup. 1614a, 1614b) and Executive Order 9689 (11 F. R. 1265))

ROBERT M. LITTLEJOHN,  
Administrator.

DECEMBER 31, 1946.

[F. R. Doc. 47-182; Filed, Jan. 6, 1947; 11:06 a. m.]

## TITLE 43—PUBLIC LANDS: INTERIOR

### Chapter I—Bureau of Land Management, Department of the Interior

#### PART 162—LIST OF ORDERS CREATING AND MODIFYING GRAZING DISTRICTS

#### REDUCTION OF AIR-NAVIGATION SITE WITHDRAWAL IN UTAH GRAZING DISTRICT NO. 10

CROSS REFERENCE: For order affecting the tabulation contained in § 162.1, see F. R. Document 47-103, under Department of the Interior, in the Notices section, *infra*.

#### Appendix—Public Land Orders [Public Land Order 335]

#### HAWAII

#### TRANSFERRING FROM WAR DEPARTMENT TO TREASURY DEPARTMENT CERTAIN LAND COMPRISING PART OF SAND ISLAND MILITARY RESERVATION, TERRITORY OF HAWAII

By virtue of the authority vested in the President by section 91 of the act of April 30, 1900, 31 Stat. 159, as amended by section 7 of the act of May 27, 1910, 36 Stat. 447, or otherwise, and pursuant to Executive Order No. 9337 of April 24, 1943, it is ordered as follows:

The following-described tract of land on Sand Island within the area reserved for military purposes by Executive Order No. 3358 of November 24, 1920, is hereby transferred to the Treasury Department for the use of the Coast Guard:

Beginning at a pipe in concrete marking an angle point in the boundary of the Sand Island Military reservation, which point is coincident with the southeast corner of Tract "C" which Tract is now under the jurisdiction of the Treasury Department (Executive Order No. 6584, dated February 6, 1934), and from which point the azimuth (measured clockwise from true south) and distance to concrete monument marked "U. S." and designated as "North Base" is 331°03'25", 837.96 feet; and from said "North Base" the azimuth and distance to United States Coast and Geodetic Survey triangulation station "Punchbowl" is 247°34'52.4", 8261.89 feet;

Thence by true azimuths and distances as follows:

236°31'00" 669.05 feet;  
61°06'00" 367.87 feet;  
122°30'03" 833.53 feet;  
213°37'30" 130.50 feet;  
235°30'30" 420.00 feet to the point of beginning.

The tract as described contains 5.52 acres and is shown upon map F-60/27 of Sand Island Military Reservation, Oahu, Territory of Hawaii, approved June, 1943, on file in

United States Engineer Office, Honolulu, Territory of Hawaii.

(Sec. 91, 31 Stat. 159; sec. 7, 36 Stat. 447; 48 U. S. C. 511, E. O. 9337, Apr. 24, 1943; 3 CFR Cum. Supp.)

[SEAL] WARNER W. GARDNER,  
Assistant Secretary of the Interior

DECEMBER 23, 1946.

[F. R. Doc. 47-110; Filed, Jan. 6, 1947;  
8:48 a. m.]

## TITLE 49—TRANSPORTATION AND RAILROADS

### Chapter I—Interstate Commerce Commission

[S. O. 93, Amdt. 10]

#### PART 95—CAR SERVICE

##### GIANT REFRIGERATOR CARS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 31st day of December A. D. 1946.

Upon further consideration of Service Order No. 93 (7 F. R. 8903) as amended, (8 F. R. 13752, 13925; 9 F. R. 2481, 11208; 10 F. R. 15175; 11 F. R. 561, 2189, 14271, 14469, and good cause appearing therefor; it is ordered, that:

Section 95.301 *Giant type refrigerator cars*, of Service Order No. 93 (7 F. R. 8903) as amended, be, and it is hereby, further amended by substituting the following paragraph (c) for paragraph (c) thereof:

(c) *Cars exempt from order* The provisions of this section shall not be construed to include the following cars:

Initial:	Numbers, inclusive
BRE-----	300 to 329
WFE-----	400 to 499
FGE-----	600 to 609
URT-----	89000 to 89049
FOBX-----	750 to 799

*Tariff provisions suspended.* The operation of all tariff rules, regulations, or charges insofar as they conflict with this section is hereby suspended.

*Announcement of suspension.* Each railroad, or its agent, shall file and post a supplement to each of its tariffs affected hereby, substantially in the form authorized in Rule 9 (k) of the Commission's Tariff Circular No. 20 (§ 141.9 (k) of this chapter) announcing the suspension of the operation of any of the provisions therein, and establishing the substituted provisions set forth.

*Effective date.* This amendment shall become effective at 12:01 a. m. January 10, 1947.

It is further ordered, that this amendment shall vacate and supersede Amendment No. 8 to Service Order No. 93 on the effective date hereof; that a copy of this amendment and direction be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it

with the Director, Division of the Federal Register.

(40 Stat. 101, sec. 402, 418, 41 Stat. 476, 485; secs. 4, 10, 54 Stat. 912; 49 U. S. C. 1 (10)-(17) 15 (4))

By the Commission, Division 3.

[SEAL] W. P. BARTEL,  
Secretary.

[F. R. Doc. 47-125; Filed, Jan. 6, 1947;  
8:45 a. m.]

[Rev. S. O. 647]

#### PART 95—CAR SERVICE

##### PRIORITY FOR WHEAT IN PACIFIC NORTHWEST

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 31st day of December A. D. 1946.

It appearing, that the President of the United States has instructed various Government agencies to put into effect a number of emergency measures designed to help meet critically urgent needs for foodstuffs in various foreign countries, and that the President has directed that specific preference will be given to the rail movement of wheat in order promptly to export maximum quantities thereof to the destinations where most needed; that upon representations from the Office of Defense Transportation, and due to the fact that there exists a shortage of box cars for the movement of this wheat, the Commission is of opinion that an emergency exists in the States of Oregon, Washington, Idaho and Western Montana; it is ordered, that:

§ 95.647 *Box cars to be used for loading export wheat*—(a) *Priority for wheat loading.* All common carriers by railroad subject to the Interstate Commerce Act, at any point in the States of Oregon, Washington, or Idaho, or at Paradise or Troy, Montana, or west thereof, shall give preference and priority over all other traffic to supplying or placing box cars daily except Sunday, to the extent of the weekly quotas of box cars shown below:

Union Pacific RR-----	390
Great Northern Ry-----	90
Northern Pacific Ry-----	210
Spokane, Portland and Seattle Ry-----	30
Chicago, Milwaukee, St. Paul and Pacific RR-----	30

(1) For loading export wheat consigned to, or for account of Commodity Credit Corporation,

(2) Providing the shipper or consignor certifies in writing to the carrier on the car order that such box car is intended for the foreign relief program and is to be shipped to a point within the switching districts (but not to flour or feed mills located at a point within the switching districts) of the ports of Astoria, Lacoda, Lunton, Portland, or Prescott, Oregon; or Aberdeen, Anacortes, Bellingham, Everett, Kalama, Longview, Mukilteo, Olympia, Seattle, Tacoma, Tulalip, or Vancouver, Washington; or to the following official inspection points, Attalia, Auburn, Black River, Cheney, Interbay, Pasco, Spokane, Wal-

lula, Walla Walla, and Wenatchee, Washington; Lewiston, Idaho; East St. Johns, Pendleton, Portland, Umatilla and Rieth, Oregon, for inspection and diversion to the ports named.

(b) *Effective date.* This order shall become effective at 12:01 a. m., January 6, 1947.

(c) *Expiration date.* This order shall expire at 11:59 p. m., March 10, 1947, unless otherwise modified, changed, suspended or annulled by order of this Commission.

It is further ordered, that this order shall vacate and supersede Service Orders Nos. 647 and 647-A on the effective date hereof; that a copy of this order and direction be served upon the State railroad regulatory bodies of the States of Oregon, Washington, Idaho and Montana, and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission, at Washington, D. C., and by filing it with the Director, Division of the Federal Register. (40 Stat. 101, secs. 402, 418, 41 Stat. 476, 485; secs. 4, 10, 54 Stat. 901, 912; 49 U. S. C. 1 (10)-(17), 15 (4))

By the Commission, Division 3.

[SEAL] W. P. BARTEL,  
Secretary.

[F. R. Doc. 47-124; Filed, Jan. 6, 1947;  
8:45 a. m.]

[S. O. 663]

#### PART 95—CAR SERVICE

##### DEMURRAGE ON COAL AT CHARLESTON, S. C.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 31st day of December A. D. 1946.

It appearing, that as the result of the inability of transshippers at Charleston, South Carolina, to dump coal in normal manner brought about by the miners' strike, excess debits accrued on cars loaded with coal; in the opinion of the Commission an emergency requiring immediate action exists at Charleston, South Carolina; it is ordered, that:

§ 95.663 *Demurrage on coal at Charleston, South Carolina*—(a) *Offsetting excess debits.* Any excess debits which accrued on cars loaded with coal or coke consigned for transshipment to vessels, either cargo or fuel supply, under the provisions of Southern Railway Company Tariff I. C. C. No. A-11065, at Charleston, South Carolina, in the account of any particular consignee during the monthly settlement period ending 7:00 a. m., January 1, 1947, which are not offset by credits accruing to the same consignee during the same period at the same point may be offset by excess credits accruing at the same point to the same consignee in the settlement period ending 7:00 a. m., February 1, 1947.

(b) *Application.* The provisions of this section shall apply to interstate and foreign commerce.

(c) *Regulations suspended; announcement required.* The operation of all rules and regulations insofar as they conflict with the provisions of this section is hereby suspended and each railroad subject to this section, or its agent, shall publish, file, and post a supplement to each of its tariffs affected hereby, in substantial accordance with the provisions of Rule 9 (k) of the Commission's Tariff Circular No. 20 (§ 141.9 (k) of this chapter) announcing such suspension.

(d) *Effective date.* This order shall become effective at 12:01 a. m., January 1, 1947.

(e) *Expiration date.* This order shall expire at 7:00 a. m., February 1, 1947, unless otherwise modified, changed, suspended, or annulled by order of this Commission.

It is further ordered, that a copy of this order and direction be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

(40 Stat. 101, sec. 402, 41 Stat. 476; sec. 4, 54 Stat. 901; 49 U. S. C. 1 (10)-(17), 15 (4))

By the Commission, Division 3.

[SEAL]

W. P. BARTEL,  
Secretary.

[F. R. Doc. 47-126; Filed, Jan. 6, 1947;  
8:46 a. m.]

## Chapter II—Office of Defense Transportation

### PART 500—CONSERVATION OF RAIL EQUIPMENT

#### CARLOAD FREIGHT TRAFFIC

CROSS REFERENCE: For exceptions to certain provisions of § 500.72, see Part 520 of this chapter, *infra*.

[Special Direction ODT 18A-1, Amdt. 8]

### PART 520—CONSERVATION OF RAIL EQUIPMENT; EXCEPTIONS, PERMITS, AND SPECIAL DIRECTIONS

#### CARLOAD FREIGHT TRAFFIC

Pursuant to the provisions of § 500.73 of General Order ODT 18A, Revised, as amended (11 F. R. 8229, 8829, 10616, 13320, 14172), Special Direction ODT 18A-1, as amended (8 F. R. 14481, 9 F. R.

117, 7585; 10 F. R. 12456, 12747; 11 F. R. 9034, 10562, 12183) is hereby further amended by changing or adding the items shown below to read as follows:

191. *Clay.* Clay, crushed, ground, or pulverized, in paper sacks, shall be loaded not less than seven tiers high covering the entire floor space of the car.

970 (b). In barrels or drums, weighing 500 pounds or more each, shall be loaded on end, not less than one tier high, covering the entire floor space of the car.

970 (c). In barrels or drums, weighing 250 pounds or more each and less than 500 pounds each, shall be loaded on end two tiers high, covering the entire floor space of the car.

This amendment 8 to Special Direction ODT 18A-1, as amended, shall become effective January 8, 1947.

(54 Stat. 676; 56 Stat. 177; 58 Stat. 827; 59 Stat. 658; Pub. Law 475, 79th Cong., 60 Stat. 345; 50 U. S. C. App. Sup. 633, 645, 1152; E. O. 8989, Dec. 18, 1941, 6 F. R. 6725; E. O. 9389, Oct. 18, 1943, 8 F. R. 14183; E. O. 9729, May 23, 1946, 11 F. R. 5641)

Issued at Washington, D. C., this 2d day of January 1947.

A. H. GASS,  
Director, Railway Transport  
Department, Office of Defense  
Transportation.

[F. R. Doc. 47-133; Filed, Jan. 6, 1947;  
8:49 a. m.]

## PROPOSED RULE MAKING

### AGRICULTURE DEPARTMENT

#### Production and Marketing Administration

##### [7 CFR, Part 904]

#### MILK IN GREATER BOSTON, MASS., MARKETING AREA

##### NOTICE OF HEARING ON PROPOSED TERMINATION OF EMERGENCY PERIOD

Notice is hereby given that pursuant to authority contained in Order No. 4, as amended, regulating the handling of milk in the Greater Boston, Massachusetts, marketing area, the market administrator is considering the termination of Emergency Period No. 1 (11 F. R. 12221) which made effective the provisions of Order No. 4 relating to emergency milk.

All persons who desire to submit written data, views, or arguments in connection with the proposed termination of Emergency Period No. 1 shall submit them to Market Administrator, Room 746, 80 Federal Street, Boston, Massachusetts, by mail or otherwise, in time to be received by him not later than 5:15 p. m., January 15, 1947. In addition, all persons who desire to submit oral data, views, or arguments in connection with the proposed termination of Emergency Period No. 1 will be given an opportunity to do so at a public hearing to be held at Room 746, 80 Federal

Street, Boston, Massachusetts, beginning at 2:00 p. m., January 13, 1947.

Issued at Boston, Massachusetts, this twentieth day of December 1946.

(Order No. 4, as amended (8 F. R. 3109, 8294; 9 F. R. 4972; 11 F. R. 5897, 10693, 14093))

[SEAL]

RICHARD D. APLIN,  
Acting Market Administrator.

[F. R. Doc. 47-132; Filed, Jan. 6, 1947;  
8:49 a. m.]

### INTERSTATE COMMERCE COMMISSION

#### [49 CFR, Part 951]

[No. 29669]

#### CAR SERVICE; FREIGHT CARS

##### INVESTIGATION TO DETERMINE REASONABLENESS AND VALIDITY OF REGULATIONS AND PRACTICES

At a general session of the Interstate Commerce Commission, held at its office in Washington, D. C., on the 18th day of December A. D. 1946.

The Commission having under consideration certain matters respecting car service furnished by common carriers by railroad subject to the Interstate Commerce Act,

It is ordered, That under the authority of section 1 (14) (a) and section 13 (2) of the Interstate Commerce Act, an in-

vestigation be, and it is hereby, instituted by the Commission, upon its own motion, for the purpose of determining whether the rules, regulations, and practices with respect to the use, control, supply, movement, distribution, exchange, interchange, and return of plain, ventilated, and automobile box cars, refrigerator cars, stock cars, ordinary gondola, flat, and hopper cars, including covered hopper cars (but not including the distribution of coal cars at mines or related matters embraced within section 1, paragraph 12 of the Interstate Commerce Act, or issues involved in prior proceedings respecting distribution of coal cars at mines) used in freight service by common carriers by railroad, are unreasonable or otherwise unlawful, whether such cars are being wastefully, uneconomically, or inefficiently used, controlled, supplied, moved, exchanged, interchanged, and returned, and whether such cars are being unfairly or inequitably distributed among shippers; with the view to the making of findings and the entry of an order or orders, under the authority of section 1 (10) (11) (13) and (14), section 2, section 3 (1) and section 15 (1) of the Interstate Commerce Act (49 U. S. Code, secs. 1-27), requiring the establishment of such reasonable rules, regulations, and practices as may be necessary to correct any unreasonableness found to exist, and requiring the removal of any other unlawfulness found to exist, with respect to said matters.



*It is further ordered,* That all common carriers by railroad subject to the Interstate Commerce Act be, and they are hereby made respondents to this proceeding; that a copy of this order be served upon each of said respondents and upon the Association of American Railroads, Car Service Division, and that notice of this proceeding be given to the

general public by depositing a copy of this order in the Office of the Secretary of the Commission at Washington, D. C., and by publishing it in the FEDERAL REGISTER.

*And it is further ordered,* That this proceeding be, and it is hereby, assigned for hearing at the offices of the Interstate Commerce Commission, Washing-

ton, D. C., before Examiner Claude A. Rice, February 4, 1947, at 9:30 a. m., United States standard time.

• By the Commission.

[SEAL] W P BARTEL,  
Secretary.

[F. R. Doc. 47-122; Filed, Jan. 6, 1947;  
8:47 a. m.]

## NOTICES

### DEPARTMENT OF THE INTERIOR

#### Bureau of Land Management

##### UTAH

#### AIR-NAVIGATION SITE WITHDRAWAL NO. 1 REDUCED

The order of the Acting Secretary of the Interior dated July 3, 1928, withdrawing certain lands in Utah for use by the Department of Commerce in the maintenance of air-navigation facilities, is hereby revoked so far as it affects the following-described land:

##### SALT LAKE MERIDIAN

T. 14 S., R. 5 W.,  
Sec. 25, SW¼NW¼.

The area described contains 40 acres.

The land is within Utah Grazing District No. 10. This order shall therefore become effective immediately as to the administration of grazing on the land by the Bureau of Land Management, but shall not otherwise become effective to change the status of such land until 10:00 a. m. on February 21, 1947. At that time the land shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to application, petition, location, or selection as follows:

(a) *Ninety-day period for preference-right filings.* For a period of 90 days from February 21, 1947, to May 22, 1947, inclusive, the public land affected by this order shall be subject to (1) application under the homestead or the desert land laws, or the small tract act of June 1, 1938 (52 Stat. 609, 43 U. S. C. sec. 682a) as amended, by qualified veterans of World War II, for whose service recognition is granted by the act of September 27, 1944 (58 Stat. 747, 43 U. S. C. secs. 279-283) subject to the requirements of applicable law, and (2) application under any applicable public-land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Applications by such veterans shall be subject to claims of the classes described in subdivision (2).

(b) *Twenty-day advance period for simultaneous preference-right filings.* For a period of 20 days from February 1, 1947 to 10:00 a. m. on February 21, 1947, inclusive, such veterans and persons claiming preference rights superior to those of such veterans, may present their applications, and all such applications, together with those presented at 10:00

a. m. on February 21, 1947, shall be treated as simultaneously filed.

(c) *Date for non-preference right filings authorized by the public-land laws.* Commencing at 10:00 a. m. on May 23, 1947 any of the land remaining unappropriated shall become subject to such application, petition, location, or selection by the public generally as may be authorized by the public-land laws.

(d) *Twenty-day advance period for simultaneous non-preference right filings.* Applications by the general public may be presented during the 20-day period from May 3, 1947 to 10:00 a. m. May 23, 1947, inclusive, and all such applications, together with those presented at 10:00 a. m. on May 23, 1947, shall be treated as simultaneously filed.

Veterans shall accompany their applications with certified copies of their certificates of discharge, or other satisfactory evidence of their military or naval service. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated affidavits in support thereof, setting forth in detail all facts relevant to their claims.

Applications for this land, which shall be filed in the District Land Office at Salt Lake City, Utah, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations (Circular No. 324, May 22, 1914, 43 L. D. 254) and Part 296 of that Title, to the extent that such regulations are applicable. Applications under the homestead laws shall be governed by the regulations contained in Parts 166 to 170, inclusive, of Title 43 of the Code of Federal Regulations and applications under the desert land laws and the small tract act of June 1, 1938, shall be governed by the regulations contained in Parts 232 and 257, respectively, of that Title.

Inquiries concerning this land shall be addressed to the District Land Office at Salt Lake City, Utah.

The land is located in a fairly level desert valley. The soil is a sandy clay loam and supports such natural desert vegetation as sagebrush, rabbitbrush, shadscale, some greasewood and native grasses and weeds.

WARNER W GARDNER,  
Assistant Secretary of the Interior  
DECEMBER 20, 1946.

[F. R. Doc. 47-108; Filed, Jan. 6, 1946;  
8:48 a. m.]

### DEPARTMENT OF AGRICULTURE

#### Production and Marketing Administration

[P. & S. Docket No. 308]

#### MARKET AGENCIES AT UNION STOCK YARDS, SIOUX CITY, IOWA

##### NOTICE OF PETITION FOR MODIFICATION

The Market Agencies at Union Stock Yards, Sioux City, Iowa, are now operating under an order issued by the Judicial Officer on June 28, 1946 (5 A. D. 453), as modified by an order dated December 13, 1946.

By petition the respondents now request continuance of the existing order as modified and that certain modification of supplements 2 and 5 as well as sections (d) (f), and (g) of the existing schedule (Tariff No. 14) be authorized. The proposed modifications, if authorized, would provide for (1) a charge not to exceed \$28.00 for cattle and/or calves arriving in double-deck rail cars, (2) an increase of five cents per head for selling hogs in small drafts and three cents per head for selling hogs in drafts of 25 or more, (3) a charge of ten cents for each weight draft, (4) an increase of \$4.50 in the maximum per single-deck rail car, an increase of \$5.00 in the maximum per double-deck rail car for buying hogs, and similar increases in the maximums with respect to the trucked-out hogs for slaughter, (5) a new charge of five cents per head for delivery of cattle and/or calves to brand chutes with the maximum charge for any one lot \$1.00. Such increases would produce additional revenue to the respondents and therefore notice is hereby given to the public of the filing of the petition.

All interested persons who desire to be heard upon the matter requested in said petition for modifications shall notify the Hearing Clerk, United States Department of Agriculture, Washington, D. C., within 15 days from the date of the publication of this notice.

Copies hereof shall be served upon the respondents by registered mail or in person.

Done at Washington, D. C., this 27th day of December, 1946.

[SEAL] H. E. REED,  
Director, Livestock Branch.

[F. R. Doc. 47-97; Filed, Jan. 3, 1947;  
8:48 a. m.]

[P. &amp; S. Docket No. 1532]

MARKET AGENCIES AT MISSISSIPPI VALLEY  
STOCKYARDS, ST. LOUIS, MISSOURI

## NOTICE OF PETITION FOR MODIFICATION

The Market Agencies<sup>1</sup> at the Mississippi Valley Stock Yards, St. Louis, Missouri, are now operating under an order issued on June 24, 1946 (5 A. D. 448), continuing in effect a previous order issued December 26, 1944 (3 A. D. 1069). Under this order and other previous orders the respondents have been authorized to assess charges in accordance with the following Tariff No. 4 which became effective on January 14, 1944:

**Definitions.** (1) A "consignment," for the purpose of assessing selling charges, is all the livestock of one species delivered in the name of one person to one market agency to be offered for sale during the trading hours of one day.

(2) A "consignment," for the purpose of assessing buying charges, is all the livestock of one species bought at any time but shipped or delivered to one person on one market day.

(3) A "draft" is all those animals in one consignment weighed as a single sale or purchase classification.

(4) A "person" is an individual, a partnership, a corporation, and/or association of any such acting as a unit.

(5) "Calves" are animals of the bovine species, weighed in drafts, the average weight of the animals in which is 400 pounds or under.

(6) "Cattle" are animals of the bovine species, weighed in drafts, the average weight of the animals in which is more than 400 pounds.

**NOTE:** For the purpose of assessing charges under this tariff, cattle and calves shall be considered as being of different species.

## SECTION A—SELLING CHARGES

	Per head
Cattle:	
One head and one head only.....	\$0.75
Consignments of more than one head: 65¢ per head with a maximum of \$15 up to and including 25 head or fraction thereof.	
All over 25 head.....	.60
Calves:	
One head and one head only.....	.35
Consignments of more than one head.....	.25
Hogs:	
One head and one head only.....	.35
Consignments of more than one head.....	.20
Sheep:	
One head and one head only.....	.35
Consignments of more than one head:	
First 10 head.....	.20
Next 40 head.....	.15
All over 50 head.....	.05
Maximum charge for first 100 head.....	10.00
All over 100 head.....	.05

## SECTION B—EXTRA SERVICE CHARGE

The following extra service charges are applicable to each consignment:

For each addition weight draft over 3 on account of sales classification..... \$0.10

<sup>1</sup> Formerly styled Leo Hardy, doing business as Leo Hardy Livestock Commission Company.

## SECTION C—BUYING CHARGES

	Per head
Cattle.....	\$0.50
Calves.....	.25
Hogs.....	.20
Sheep or goats.....	.15

## SECTION D—RESALES

On livestock purchased on this market by registered traders or registered market agencies and without having been removed from this market, resold for the account of such purchaser, the commission shall be 3½¢ per hundred pounds on cattle and hogs; 7¢ per hundred pounds on calves, sheep, or goats: *Provided*, That in no case shall the commission be less than 50¢.

## SECTION E—NATIONAL LIVE STOCK AND MEAT BOARD

Cattle—1¢ per head, not to exceed 25¢ to any one owner for a maximum of 30 head.

Calves—½¢ per head, not to exceed 25¢ to any one owner for a maximum of 75 head.

Hogs—½¢ per head, not to exceed 25¢ to any one owner for a maximum of 75 head.

Sheep—½¢ per head, not to exceed 25¢ to any one owner for a maximum of 300 head.

*Provided, however*, That upon written objection filed with the market agency by the producer or shipper within 60 days, the amount collected by the market agency will be refunded by the National Live Stock and Meat Board, direct to the producer. In no instance shall the market agency be relieved from the obligation of making the deduction except where market agency has on file written objection by shipper or producer.

By petition, the respondents now request modifications of the order of June 24, 1946, so that they may put the following tariff into effect as of January 1, 1947:

## SECTION A—DEFINITIONS

(1) A "consignment," for the purpose of assessing selling charges, is all the livestock of one species (cattle and calves to be considered as of a different species) delivered in the name of one person to one market agency to be offered for sale during the trading hours of one day.

(2) A "consignment," for the purpose of assessing buying charges, is all the livestock of one species (cattle and calves to be considered as of a different species) bought at any time but shipped or delivered to one person on one market day.

(3) A "weight draft," for the purpose of assessing extra service charges, is all the animals of one species in one consignment sold in one lot to one purchaser or bought in one lot for one purchaser.

(4) A "person" is an individual, a partnership, a corporation, and/or association of any such acting as a unit.

(5) "Calves" are animals of the bovine species, weighed in drafts, the average weight of the animals under 400 pounds.

(6) "Cattle" are animals of the bovine species, weighed in drafts, the average weight of the animals which is 400 pounds or over.

(7) "Hogs" are all swine, irrespective of weight.

(8) "Sheep" are animals of ovine species.

## SECTION B—SELLING COMMISSIONS

	Cents
Calves:	
Consignments of one head and one head only.....	50
Consignments of more than one head:	
First 15 head in each consignment.....	35
Each head over 15 in each consignment.....	25
Cattle:	
Consignments of one head and one head only.....	80

	Cents
Cattle—Continued	
Consignments of more than one head:	
First 15 head in each consignment.....	75
Each head over 15 in each consignment.....	65
Hogs:	
Consignments of one head and one head only.....	50
Consignments of more than one head:	
First 25 head in each consignment.....	25
Each head over 25 in each consignment.....	20
Sheep and goats:	
Consignments of one head and one head only.....	50
Consignments of more than one head:	
First 10 head in each consignment.....	25
Next 50 head in each consignment.....	20
Next 50 head in each consignment.....	10
Each head over 110 in each consignment.....	5

The maximum charge on each separate straight single deck car of single ownership shall not exceed \$15.00. The maximum charge on each separate straight double deck car of single ownership shall not exceed \$21.00.

## SECTION C—RESALES

	Cents
Cattle:	
One head and one head only.....	75
More than one head.....	50
Calves: 1 Per head.....	35
Hogs: 1 Per head.....	20
Sheep: 1 Per head.....	10

<sup>1</sup> A minimum charge of 50¢ for each consignment.

## SECTION D—BUYING COMMISSIONS

	Cents
Calves:	
Consignments of one head and one head only.....	50
Consignments of more than one head:	
First 15 head in each consignment.....	35
Each head over 15 in each consignment.....	25
Maximum: 1 Rail, \$15 single deck, \$20 double deck; trucked-out or driven-out, \$15 for each 17,000 pounds or fraction thereof.	
Cattle:	
Consignments of one head and one head only.....	90
Consignments of more than one head:	
First 15 head in each consignment.....	75
Each head over 15 in each consignment.....	65
Maximum: 1 Rail, \$15 per car; trucked-out or driven-out \$15 for each 24,000 pounds or fraction thereof.	

	Cents
Hogs:	
Consignments of one head and one head only.....	50
Consignments of more than one head:	
First 25 head in each consignment.....	25
Each head over 25 in each consignment.....	20
Maximum: 1 Rail, \$15 single deck, \$20 double deck; trucked-out or driven-out, \$15 for each 17,000 pounds or fraction thereof.	

	Cents
Sheep and goats:	
Consignments of one head and one head only.....	50
Consignments of more than one head:	
First 10 head in each consignment.....	25
Next 50 head in each consignment.....	20
Next 50 head in each consignment.....	10
Each head over 110 in each consignment.....	5
Maximum: 1 Rail, \$15 single deck, \$21 double deck; trucked-out or driven-out, \$15 for each 12,000 pounds or fraction thereof.	

<sup>1</sup> NOTE: The maximum charge shall not exceed the per head rate.

All purchases paid for by a commission merchant or by his shipping clearance whether made by or for a speculator, feeder-

farmer, or other person than a resident yard trader, shall be deemed a purchase and charged for at above rates. Purchaser to pay for all exchange rates and wires incident to credit arrangements.

#### SECTION E—EXTRA SERVICE CHARGES

The following extra service charges are applicable to each consignment (both buying and selling)

Each additional weight draft over 3 on account sales classification..... \$0.15  
Maximum on one consignment..... 2.00

#### SECTION F—MEAT BOARD, SCHEDULE, NATIONAL LIVESTOCK AND MEAT BOARD

Carlots—Livestock, all species, 25¢ per cars, single or double deck.

Driven or hauled in:

Cattle: 1¢ per head, not to exceed 25¢ to any one owner for a maximum of 30 head.

Calves and hogs: ½¢ per head, not to exceed 25¢ to any one owner for a maximum of 75 head.

Sheep: ½¢ per head, not to exceed 25¢ to any one owner for a maximum of 250 head.

*Provided, however, That upon written objection filed with the Live Stock Commission Company, by the producer or shipper within 60 days, the amount collected by any market agency will be refunded by the National Live Stock and Meat Board, direct to the producer. In no instance shall the market agency be relieved from the obligation of making the deduction except where market agency has on file written objection by shipper or producer.*

The effect of the modifications, if granted, would result in additional revenue to the respondents and therefore notice of the filing of the petition is hereby given to the public. All interested persons who desire to be heard upon the matter shall notify the Hearing Clerk, United States Department of Agriculture, Washington 25, D. C., within 15 days from the date of publication of this notice.

Copies hereof shall be served upon the respondents by registered mail or in person.

Done at Washington, D. C., this 26th day of December 1946.

[SEAL]

H. E. REED,  
Director Livestock Branch.

[F. R. Doc. 47-98; Filed, Jan. 3, 1947;  
8:47 a. m.]

### FEDERAL POWER COMMISSION

[Docket Nos. G-699, G-729, G-757, G-747,  
G-763, G-765]

MID-CONTINENT GAS TRANSMISSION CO.  
ET AL.

ORDER POSTPONING DATE OF ORAL ARGUMENT

DECEMBER 31, 1946.

In the matters of Mid-Continent Gas Transmission Company, Docket No. G-699; Cities Service Gas Company, Docket Nos. G-729, G-757; Northern Natural Gas Company, Docket Nos. G-747, G-763 and G-765.

It appearing to the Commission that: Good cause exists for postponement of the oral argument on motions to dismiss the application of Mid-Continent Gas Transmission Company in Docket No. G-699, which oral argument was

heretofore set by direction of the Trial Examiner for January 15, 1947, at 10:00 a. m. (e. s. t.) in the Hearing Room of the Commission, 1800 Pennsylvania Avenue NW., Washington, D. C.

The Commission orders that:

The oral argument heretofore set for January 15, 1947, in Docket No. G-699 be and the same is hereby postponed to January 22, 1947, at the same hour and place as heretofore directed in said matter.

Date of issuance: January 2, 1947.

By the Commission.

[SEAL]

LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 47-104; Filed, Jan. 6, 1947;  
8:57 a. m.]

[Docket Nos. G-115, G-399, G-400, G-401]

EAST OHIO GAS CO. ET AL.

ORDER POSTPONING HEARING

DECEMBER 31, 1946.

In the matter of The East Ohio Gas Company, Docket No. G-115, City of Euclid, Complainant, v. The East Ohio Gas Company, Defendant, Docket No. G-399, City of Cleveland, Complainant, v. The East Ohio Gas Company, Defendant, Docket No. G-400, City of Lakewood, Complainant, v. The East Ohio Gas Company, Defendant, Docket No. G-401.

Upon consideration of the requests filed on behalf of The Public Utilities Commission of Ohio on December 26, 1946, and by The East Ohio Gas Company on December 27, 1946, for postponement of the rehearing in the above-entitled matters limited to oral argument before the Commission, which has heretofore been set for January 7, 1947; and

It appearing to the Commission that: Good cause exists for postponing the date of rehearing as hereinafter provided.

The Commission orders that:

The rehearing in these matters now set to commence on January 7, 1947, be and the same is hereby postponed to commence at 10:00 a. m. (e. s. t.) on February 19, 1947, in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C.

Date of issuance: January 2, 1947.

By the Commission.

[SEAL]

LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 47-105; Filed, Jan. 6, 1947;  
8:56 a. m.]

[Docket No. G-825]

GAS TRANSPORT, INC.

NOTICE OF APPLICATION

DECEMBER 30, 1946.

Notice is hereby given that on December 16, 1946, Gas Transport, Inc. (Applicant) a Delaware corporation, having its principal place of business in Lancaster, Ohio, made application pursuant to section 7 of the Natural Gas Act, as

amended, to authorize Applicant to construct and operate certain natural-gas pipeline facilities subject to the jurisdiction of the Federal Power Commission described as follows:

Approximately 5.6 miles of 6-inch natural-gas pipeline together with meters, regulators and appurtenances extending from a point near Fulls Run of Reedy Creek in Wirt County, West Virginia, to a point on the present line of Gas Transport, Inc., near the mouth of Lockhart Fork in Jackson County, West Virginia.

Applicant states that it is owner and operator of a 14-inch natural-gas pipeline extending from New Era, West Virginia to Gravel Bank, Ohio, and is a wholly owned subsidiary of Anchor Hocking Glass Corporation. Applicant also states that it is engaged primarily in transporting natural gas purchased by Anchor Hocking from the Columbian Carbon Company and natural gas produced by Columbian in excess of Anchor Hocking requirements for Ohio Fuel Gas Company and that the proposed facilities will connect the Applicant's line with natural gas wells owned or under contract to United Carbon Company from which Anchor Hocking Glass Corporation has contracted to purchase up to 3,000,000 cubic feet of natural gas per day produced from the wells and any other wells to be drilled in a dedicated territory for a period of 3 years with an option to renew for an additional period of 2 years.

Applicant states that an emergency situation exists by reason of the fact that deliveries of gas to Anchor Hocking Glass Corporation for use at its Lancaster, Ohio, plants from present sources of supply are expected to be less than the requirements for the month of December and thereafter. The deficiency for the month of December is estimated to be 58,932,000 cubic feet. Applicant states that anticipated requirements will as a result of cold weather be in excess of 297,060,000 cubic feet for the month of December that the depletion of the Columbian Carbon source of supply is such that during the month of December not more than 238,128,000 cubic feet can be expected to be delivered to Applicant for eventual delivery to Anchor Hocking at Lancaster, Ohio; that in view of the acute gas shortage in central and southeastern Ohio, deficiencies can not be supplied by additional purchases from Ohio Fuel Gas Company, especially during the winter months; that to prevent an interruption in Anchor Hocking Glass Corporation's manufacturing operations, the proposed facilities are urgently needed.

It is further stated that the total over-all capital cost of the facilities will be \$49,563, which will be paid for by Applicant.

Applicant also states that all natural gas to be transported regularly by it through the proposed extension will be transported for Anchor Hocking Glass Corporation pursuant to a gas transportation agreement similar to a present agreement now on file with the Commission; that it is not at present contemplated that any of this gas will be sold to Ohio Fuel Gas Company.

Any interested State Commission is requested to notify the Federal Power Commission whether the application should be considered under the cooperative provisions of the Commission's rules of practice and procedure, and, if so, to advise the Federal Power Commission as to the nature of its interest in the matter, and whether it desires a conference, the creation of a board, or a joint or concurrent hearing, together with the reasons for such request.

Any person desiring to be heard or to make any protest with reference to the application of Gas Transport, Inc., should file with the Federal Power Commission, Washington 25, D. C., not later than 15 days from the date of publication of this notice in the FEDERAL REGISTER, a petition or protest in accordance with the Commission's rules of practice and procedure.

[SEAL] LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 47-106; Filed, Jan. 6, 1947;  
8:56 a. m.]

[Docket No. G-833]

PENN-YORK NATURAL GAS CORP.

NOTICE OF APPLICATION

DECEMBER 30, 1946.

Notice is hereby given that on December 18, 1946, Penn-York Natural Gas Corporation (Applicant) a Pennsylvania corporation, authorized to do business in the State of New York, having its principal place of business in Buffalo, New York, filed an application with the Federal Power Commission for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, to authorize Applicant to construct and operate certain natural gas facilities in the Town of Arcade, Wyoming County, New York, subject to the jurisdiction of the Federal Power Commission, as more particularly described hereinafter:

A compressor station located in the Town of Arcade, Wyoming County, New York, at a point on Applicant's transmission system designated as Arcade Station to consist of one (1) one hundred and fifty (150) horsepower gas driven compressor unit together with appurtenant auxiliaries such as cleaners, coolers, valves, piping, building, etc.

Applicant states that demands on Republic Light, Heat & Power Company, Inc., Applicant's only customer, and its own system now greatly exceeds all previous estimates and resulted in a shortage of natural gas on December 2, 1946, and will result in others unless proposed construction is completed at the earliest possible date; that the volume of gas to meet this demand is available but can not be delivered without more pressure which can only be obtained through the construction of this compressor station.

Applicant estimates that construction can be completed and operation begun by January 15, 1947 at an estimated cost of \$30,000 which will be financed out of current funds.

Any interested State commission is requested to notify the Federal Power

Commission whether the application should be considered under the cooperative provisions of the Commission's rules of practice and procedure, and, if so, to advise the Federal Power Commission as to the nature of its interest in the matter and whether it desires a conference, the creation of a board, or a joint or concurrent hearing, together with the reasons for such request.

Any person desiring to be heard or to make any protest with reference to the application of Penn-York Natural Gas Corporation should file with the Federal Power Commission, Washington 25, D. C., not later than 15 days from the date of publication of this notice in the FEDERAL REGISTER, a petition or protest in accordance with the Commission's rules of practice and procedure.

[SEAL] LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 47-107; Filed, Jan. 6, 1947;  
8:56 a. m.]

[Docket No. G-663]

MICHIGAN-WISCONSIN PIPE LINE CO.

NOTICE OF ORDER SUPPLEMENTING ORDER  
ISSUING CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY AND REOPENING PROCEEDING FOR LIMITED PURPOSE

JANUARY 2, 1947.

Notice is hereby given that, on December 31, 1946, the Federal Power Commission issued its order supplementing order issuing certificate of public convenience and necessity and reopening proceeding for limited purpose, entered December 30, 1946, in the above-designated matter.

[SEAL] LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 47-123; Filed, Jan. 6, 1947;  
8:58 a. m.]

## INTERSTATE COMMERCE COMMISSION

[S. O. 396, Special Permit 60]

RECONSIGNMENT OF CELERY AT JERSEY  
CITY, N. J.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph of Service Order No. 396 (10 F. R. 15008), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 396 insofar as it applies to the reconsignment at Jersey City, N. J., December 27, 1946, by Tassin & Salsch of cars SFRD 32215, 33128 and 25335, celery, now on the Baltimore and Ohio RR., to Community Produce Co., Boston Terminal Market, Boston, Mass. (N. Y., N. H. & H.).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the gen-

eral public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 27th day of December, 1946.

V. C. CLINGER,  
Director  
Bureau of Service.

[F. R. Doc. 47-123; Filed, Jan. 6, 1947;  
8:47 a. m.]

## OFFICE OF TEMPORARY CONTROLS

Civilian Production Administration

[C-469]

KAMM DEVELOPMENT CORP.

CONSENT ORDER

Kamm Development Corporation, a New York Corporation located at 844 Hopkinson Avenue, Brooklyn, New York, is engaged in the building construction business. Phillip Auerbach is President of said corporation and its operating head. Kamm Development Corporation is charged by the Civilian Production Administration with violations of Veterans' Housing Program Order 1 in that (1) on or about May 3, 1946, it began construction, without authorization, and at a cost in excess of \$1,000, of a commercial building (automobile showroom and service garage) located at 19 South Main Street, Spring Valley, New York; (2) on and after May 3, 1946, it carried on construction, without authorization and at a cost in excess of \$1,000, of a commercial building (automobile showroom and service garage) located at 19 South Main Street, Spring Valley, New York; (3) on or about June 21, 1946, it began construction of a commercial building (automobile showroom and service garage) located at 19 South Main Street, Spring Valley, New York, which construction exceeded the terms and limitations of authorization 2-1-1868 issued by the Civilian Production Administration on June 21, 1946; (4) on and after June 21, 1946, it carried on construction of a commercial building (automobile showroom and service garage) located at 19 South Main Street, Spring Valley, New York, which construction exceeded the terms and limitations of authorization 2-1-1868 issued by the Civilian Production Administration on June 21, 1946.

Kamm Development Corporation admits the violations charged, denies that the acts charged were committed willfully, and has consented to the issuance of this order.

Wherefore, upon the agreement and consent of Kamm Development Corporation, the Regional Compliance Director and the Regional Attorney, and upon the approval of the Compliance Commissioner, it is hereby ordered, That:

(a) Neither Kamm Development Corporation, its successors and assigns, nor any other person shall do any further construction on the premises located at 19 South Main Street, Spring Valley, New York, including the putting up,

completing or altering of any of the structures located on said premises, unless hereafter specifically authorized in writing by the Civilian Production Administration.

(b) Kamm Development Corporation shall refer to this order in any application or appeal which it may file with the Civilian Production Administration for priorities assistance or for authorization to carry on construction.

(c) Nothing contained in this order shall be deemed to relieve Kamm Development Corporation, its successors and assigns, from any restriction, prohibition or provision contained in any other order or regulation of the Civilian Production Administration, except insofar as the same may be inconsistent with the provisions hereof.

Issued this 6th day of January 1947.

CIVILIAN PRODUCTION  
ADMINISTRATION,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 47-185; Filed, Jan. 6, 1947;  
11:12 a. m.]

## SECURITIES AND EXCHANGE COMMISSION

[File Nos. 70-1411, 70-1414]

PUBLIC SERVICE CO., INDIANA, INC., ET AL  
NOTICE REGARDING FILING OF APPLICATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 31st day of December A. D. 1946.

In the matter of Public Service Company of Indiana, Inc., Indiana Gas & Water Company, Inc., File No. 70-1411, the Middle West Corporation, File No. 70-1414.

Notice is hereby given (1) that a joint application-declaration has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by Public Service Company of Indiana, Inc. ("Service Company") a public utility company,<sup>1</sup> and by its public utility subsidiary, Indiana Gas & Water Company, Inc. ("Gas-Water") and (2) that an application has been filed pursuant to said act by The Middle West Corporation ("Middle West"), a registered holding company and the parent of Service Company. Sections 6 (a) 6 (b), 7, 9 (a), 10, 12 (d) and 12 (f) of the act and Rules U-43 and U-44 thereunder are designated as being applicable to the proposed transactions.

Notice is further given that any person may, not later than January 10, 1947, at 5:30 p. m., e. s. t., request the Commission in writing that a hearing be held on such matters, stating the reasons for such request, the nature of his interest and the issues of fact or law raised by said joint application-declaration and by said application which he desires to controvert, or may request that he be notified if the Commission should order a

hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania. At any time after January 10, 1947, said application-declaration and said application, as filed or amended, may be granted or permitted to become effective as provided in Rule U-23 of the rules and regulations promulgated under the act, or the Commission may exempt such transactions as provided in Rule U-20 (a) and Rule U-100 thereof.

All interested persons are referred to said application-declaration, and to said application, which are on file in the office of this Commission for a statement of the transactions therein proposed, which are summarized as follows:

1. Gas-Water proposes to amend its articles of incorporation so as to provide for the issuance of scrip certificates representing fractional share interests in its outstanding common stock, all of which is held by Service Company.

2. Gas-Water proposes to issue from time to time bearer scrip certificates representing fractional share interests in its outstanding common stock in exchange for their equivalent in shares of such stock to be surrendered by Service Company.

3. Service Company proposes from time to time to declare dividends on its common stock payable in common stock of Gas-Water, with scrip certificates in lieu of fractional shares. The company has indicated its intention to distribute in this manner quarterly dividends of 1/20 share of common stock of Gas-Water for each share of common stock of Service Company. Such proposal is stated to be for the purpose of effecting a program for disposal by Service Company of its entire holdings of the common stock of Gas-Water consisting of 600,000 shares.

4. Service Company proposes to change the maturity dates of \$3,250,000 aggregate principal amount of notes due certain banks and now maturing September 1, 1955, so that said notes will become due as follows: \$125,000 on December 1, 1949 and \$125,000 quarterly thereafter to and including June 1, 1955, and the balance of \$375,000 on September 1, 1955. The present note agreement contains certain restrictions on the disposition of portfolio securities which will be eliminated by the proposed change.

5. Middle West proposes to acquire from time to time shares of common stock of Gas-Water (or scrip certificates representing fractional shares) to which it may be entitled by reason of its ownership of 224,586 shares (approximately 20.27%) of common stock of Service Company.

Applicants-declarants state that application for approval of the several proposals has been filed with the Public Service Commission of Indiana and that when said Commission issues its order with respect thereto, a copy thereof will be filed herein by amendment.

The findings request that the Commission's order granting the applications and permitting the declarations to become effective be issued on or before January 15, 1947 and become effective forth-

with so that the proposals may be consummated prior to January 24, 1947.

By the Commission.

[SEAL] NELLYE A. THORSEN,  
Assistant to the Secretary.

[F. R. Doc. 47-111; Filed, Jan. 6, 1947;  
8:56 a. m.]

[File No. 70-1425]

WASHINGTON RAILWAY AND ELECTRIC CO.  
NOTICE REGARDING FILING OF APPLICATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 30th day of December 1946.

Notice is hereby given that an application and declaration has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by Washington Railway and Electric Company, a registered holding company and a subsidiary of The North American Company, also a registered holding company. Applicant-declarant designates sections 6 (a), 7 and 12 (c) and Rules U-23, U-24, U-42 and U-50 of the rules promulgated thereunder as applicable to the proposed transactions.

Notice is further given that any interested person may, not later than January 15, 1947 at 5:30 p. m., e. s. t., request the Commission in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request and the issues, if any, of fact or law raised by said application or declaration proposed to be controverted, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter such application or declaration, as filed or as amended, may be granted or may become effective as provided in Rule U-23 of the rules and regulations promulgated pursuant to said act, or the Commission may exempt such transactions as provided in Rules U-20 (a) and U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania.

All interested persons are referred to said application and declaration which is on file in the office of this Commission, for a statement of the transactions therein proposed, which are summarized below:

Washington Railway and Electric Company proposes to issue and to sell to certain banks \$2,800,000 principal amount of Bank Loan Notes, payable on or before two years from their date, with interest thereon at the rate of 1 3/4% per annum. Such Bank Loan Notes are proposed to be issued to certain banking institutions now holding declarant's presently outstanding Bank Loan Notes aggregating \$3,500,000, and maturing January 31, 1947, and said banks represent that such Notes are proposed to be held for investment and not for resale. It is proposed that the Bank Loan Notes be subject to the provisions of a Bank Loan Agreement dated December 20, 1946 which provides, among other things, for

<sup>1</sup>Service Company is an exempt holding company (File No. 69-36) pursuant to section 3 (a) of the act and Rule U-2 thereunder.



the right of prepayment of such Bank Loan Notes, without premium, upon the terms and conditions set forth therein. Declarant proposes to apply the proceeds of such issue, together with \$700,000 of treasury funds, to the payment and retirement of all its presently outstanding Bank Loan Notes maturing January 31, 1947, in the aggregate principal amount of \$3,500,000 and issued under a Bank Loan Agreement dated December 6, 1944.

Applicant-declarant has requested that its application be granted and that its declaration be permitted to become effective on or before January 23, 1947.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 47-112; Filed, Jan. 6, 1947;  
8:57 a. m.]

[File No. 812-472]

#### BANKERS SECURITIES CORP. ET AL.

##### NOTICE OF FILING OF APPLICATION, STATEMENT OF ISSUES, AND NOTICE OF HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 31st day of December A. D. 1946.

Notice is hereby given that Bankers Securities Corporation, Bankers Bond and Mortgage Guaranty Company of America and Bankers Bond and Mortgage Company have filed an application pursuant to section 17 (b) of the Investment Company Act of 1940 for an order exempting from the provisions of section 17 (a) of the act a proposed agreement between Bankers Bond and Mortgage Company and McCloskey Homes, Inc., pursuant to which Bankers Bond and Mortgage Company agrees to lend McCloskey Homes, Inc., funds upon appropriate security in connection with the construction and mortgaging of 546 individual dwellings, and McCloskey Homes, Inc. may sell to Bankers Bond and Mortgage Company individual and permanent mortgages created in connection with the sale of the individual dwellings.

Bankers Securities Corporation is a closed-end, management, non-diversified investment company and is registered under the Investment Company Act of 1940. Bankers Bond and Mortgage Guaranty Company of America is controlled by Bankers Securities Corporation. Bankers Bond and Mortgage Company is a wholly owned subsidiary of Bankers Bond and Mortgage Guaranty Company of America. Bankers Securities Corporation also owns 20% of the voting securities of McCloskey Homes, Inc.

In the proposed agreement Bankers Bond and Mortgage Company agrees to advance to McCloskey Homes, Inc. funds up to a prescribed maximum approximately equivalent to 90% of the construction completed, at the rate of 4½% per annum, subject to certain limitations and conditions. McCloskey Homes, Inc. agrees that, upon settlement following

sale of each dwelling unit and lot, it will pay Bankers Bond and Mortgage Company the proceeds received by it from such sale, after deducting any sales commission payable thereon, to be applied in reduction of the principal of the advance money mortgage, and Bankers Bond and Mortgage Company will thereupon release said unit and lot from the lien of the advance money mortgage. In addition, it is provided that Bankers Bond and Mortgage Company shall have the exclusive right to purchase, accept or place, at face amount, the individual mortgage financing required by any purchase of a dwelling unit, for which it is to receive a fee of 1% on such face amount, payable by McCloskey Homes, Inc. It is proposed that such mortgages will be eligible for insurance by the Federal Housing Administration or eligible for guarantee by the Veterans' Administration.

Section 17 (a) (3) of the act prohibits an affiliated person (McCloskey Homes, Inc.) from borrowing money or other property from a company controlled by a registered investment company (Bankers Bond and Mortgage Company). Section 17 (a) (1) of the act prohibits the sale by an affiliated person (McCloskey Homes, Inc.) of any security or other property to a company controlled by a registered investment company (Bankers Bond and Mortgage Company).

The applicants have therefore filed an application pursuant to section 17 (b) of the act for an order of the Commission exempting the proposed transaction from the provisions of section 17 (a) of the act, and they assert that the proposed transactions meet the standards and requirements of section 17 (b).

All interested persons are referred to said application which is on file in the offices of the Commission for a more detailed statement of the proposed transaction and the matters of fact and law asserted.

The Corporation Finance Division of the Commission has advised the Commission that upon a preliminary examination of the application, it deems the following issues to be raised thereby without prejudice to the specification of additional issues upon further examination:

- (1) Whether the proposed agreement is fair and reasonable;
- (2) Whether the proposed agreement involves overreaching on the part of any person concerned;
- (3) Whether the proposed agreement is consistent with the policy of Bankers Securities Corporation as recited in its registration statement and reports filed under the act;
- (4) Whether the proposed agreement is consistent with the general purposes of the act.

It appearing to the Commission that a hearing upon the application is necessary and appropriate:

It is ordered, Pursuant to section 40 (a) of said act, that a public hearing on the aforesaid application be held on January 13, 1947, at 9:30 a. m., eastern standard time, Room 318 in the offices of the Securities and Exchange Commis-

sion, 18th and Locust Streets, Philadelphia 3, Pennsylvania.

It is further ordered, That Allen McCullen, or any officer or officers of the Commission designated by it for that purpose shall preside at the hearing and any officer or officers so designated to preside at any such hearing is hereby authorized to exercise all of the powers granted to the Commission under sections 41 and 42 (b) of the Investment Company Act of 1940 and to hearing officers under the Commission's rules of practice.

Notice of such hearing is hereby given to the above-mentioned Bankers Securities Corporation, Bankers Bond and Mortgage Guaranty Company of America, Bankers Bond and Mortgage Company, and McCloskey Homes, Inc., and to any other person or persons whose participation in such proceedings may be in the public interest or for the protection of investors. Any person desiring to be heard or otherwise desiring to participate in said proceeding should file with the Secretary of the Commission, on or before January 10, 1947 his application therefor as provided by Rule XVII of the rules of practice of the Commission, setting forth therein any of the above issues of law or fact which he desires to controvert and any additional issues he deems raised by the aforesaid application.

By the Commission.

[SEAL] NEELYE A. THORSEN,  
Assistant to the Secretary.

[F. R. Doc. 47-113; Filed, Jan. 6, 1947;  
8:57 a. m.]

[File No. 70-736]

#### ALABAMA WATER SERVICE CO. AND FEDERAL WATER AND GAS CORP.

##### ORDER GRANTING APPLICATION AND PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 23d day of December A. D. 1946.

Federal Water and Gas Corporation ("Federal") a registered holding company, and Alabama Water Service Company ("Alabama"), a wholly owned subsidiary of Federal, have filed a joint application-declaration pursuant to the Public Utility Holding Company Act of 1935 and the rules and regulations promulgated thereunder regarding the following transactions:

Federal as the present owner of all of the common stock of Alabama (the only securities of Alabama outstanding) proposes to surrender to Alabama for cancellation all of this common stock in exchange for all of the assets of Alabama, Federal assuming all of Alabama's remaining liabilities. At the present time the only substantial assets of Alabama, other than physical properties in the form of water works properties located in Monroeville, Alabama, consist of cash. It is represented in the application-

declaration that Alabama is to dispose of these properties to the municipality of Monroeville, Alabama, for cash and that such disposition is to precede the liquidation and dissolution of Alabama.

The joint application-declaration was filed on November 13, 1946. Notice of this filing was duly given in the form and manner prescribed by Rule U-23, promulgated pursuant to the act, and the Commission has not received a request for a hearing with respect thereto within the period specified in said notice, or otherwise, and has not ordered a hearing thereon.

The Commission finding with respect to this joint application-declaration that the requirements of the applicable provisions of the act and rules thereunder are satisfied, deeming it appropriate in the public interest and in the interest of investors and consumers that said joint application be granted and said joint declaration be permitted to become effective, and further deeming it appropriate to grant the request of applicants that this order be effective upon issuance;

*It is hereby ordered*, Pursuant to Rule U-23 and the applicable provisions of the act and subject to the terms and conditions prescribed in Rule U-24, that this joint application be, and the same is hereby granted and that this joint dec-

laration be, and the same is hereby, permitted to become effective forthwith.

By the Commission.

[SEAL]

ORVAL L. DuBois,  
*Secretary.*

[F. R. Doc. 47-114; Filed, Jan. 6, 1947;  
8:57 a. m.]

[File No. 70-816]

AMERICAN LIGHT AND TRACTION CO. ET AL.

ORDER RELEASING JURISDICTION WITH  
RESPECT TO FEES

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 27th day of December A. D. 1946.

In the matter of American Light & Traction Company, Michigan Consolidated Gas Company, American Production Company, American-Michigan Pipe Line Company, and Waverly Company, File No. 70-816.

The Commission having by order dated September 5, 1944, released jurisdiction with respect to legal fees incurred in connection with the refunding of the outstanding funded debt and preferred stock of Michigan Consolidated Gas Company, a subsidiary of American

Light & Traction Company, approved by orders dated December 20, 1943, and March 20, 1944; and having by said order dated September 5, 1944, reserved jurisdiction with respect to the reasonableness of fees for advisory services rendered by Dillon, Read & Co., and

A supplemental application having been filed requesting approval of a fee in the amount of \$30,000 for advisory services rendered to Michigan Consolidated Gas Company by Dillon, Read & Co., and

A hearing having been held on said supplemental application after appropriate notice; and

It appearing to the Commission that no adverse findings are necessary in respect of the payment of such fee to Dillon, Read & Co. and that jurisdiction with respect thereto should now be released:

*It is ordered*, That jurisdiction be and hereby is released with respect to the payment of said fee, in the amount of \$30,000, to Dillon, Read & Co. by Michigan Consolidated Gas Company.

By the Commission.

[SEAL]

ORVAL L. DuBois,  
*Secretary.*

[F. R. Doc. 47-115; Filed, Jan. 6, 1947;  
8:57 a. m.]